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Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Combined second and third periodic report of States parties*

Nepal**

* The present report is being issued without formal editing.

** For the initial report submitted by the Government of Nepal, see CEDAW/C/NPL/1, which was considered by the Committee at its twenty-first session.

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List of Acronyms

ADB	Asian Development Bank
ADB/N	Agricultural Development Bank/Nepal
ANC	Ante Natal Care
APP	Agricultural Perspective Plan
BPEP	Basic and Primary Education Project
BPFA	Beijing Platform for Action
CBS	Central Bureau of Statistics
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CSIDB	Cottage and Small Industry Development Board
CTEVT	Council for Technical Education and Vocational Training
CWLAC	Central Women Legal Aid Committee
DCSI	Department of Cottage and Small Industries
DDCs	District Development Committees
DOHS	Department of Health Services
ECD	Early Childhood Development
EDP	Entrepreneurship Development Programme
EFA	Education for All
EIA	Environmental Impact Assessment
EOC	Emergency Obstetrics Care
FCHV	Female Community Health Volunteer
FIR	First Information Report
FNCSI	Federation of Nepalese Cottage and Small Industries
FWLD	Forum for Women, Law and Development
GBR	Grameen Bank Replicators
GDI	Gender-sensitive Development Index
GDP	Gross Domestic Product
HDI	Human Development Index
HMG	His Majesty's Government of Nepal
ICPD	International Conference on Population and Development
IDP	Institutional Development Programme
IEC	Information, Education and Communication
ILO	International Labour Organization
IOE	Institute of Engineering
LSGA	Local Self Governance Act
MCPW	Micro Credit Project for Women
MGEP	Mainstreaming Gender Equity Project
MLD	Ministry of Local Development
MOAC	Ministry of Agriculture and Cooperatives
MOES	Ministry of Education and Sports
MOFA	Ministry of Foreign Affairs
MOH	Ministry of Health
MOLT	Ministry of Labour and Transport Management
MOPE	Ministry of Population and Environment
MOWR	Ministry of Water Resources
MPs	Members of Parliament
MWCSW	Ministry of Women, Children and Social Welfare
NCW	National Commission on Women
NESAC	Nepal South Asia Centre

NLSS	Nepal Living Standard Survey
NPA	National Plan of Action
NPC	National Planning Commission
PAF	Poverty Alleviation Fund
PCRW	Production Credit for Rural Women
PDDP	Participatory District Development Programme
SAARC	South Asian Association for Regional Cooperation
SCOs	Savings and Credit Organizations
SFCL	Small Farmers Cooperatives Limited
SFDP	Small Farmers Development Programme
SLTHP	Second Long Term Health Plan
STDs	Sexually Transmitted Diseases
TBA	Traditional Birth Attendant
TEVT	Technical Education and Vocational Training
TFR	Total fertility Rate
UNDP	United Nations Development Programme
UNS	United Nations System
UNSNA	United Nations System of National Accounting
VDC	Village Development Council
VDP	Village Development Programme
WDD	Women Development Division
WEAN	Women Entrepreneurs' Association Nepal
WFDD	Women Farmer Development Division

Executive summary

Background

His Majesty's Government of Nepal submitted its Initial Report on measures adopted to give effect to the provisions of Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in May 1997. An Addendum to the Report was submitted in June 1999. It highlighted the developments that had taken place after the submission of the Initial Report. The Committee on the Elimination of All Forms of Discrimination against Women considered the Report at its 434th and 439th meetings on 15 and 18 June 1999. This Report does not intend to repeat the background information provided in Part I of the Initial Report. It basically makes a reference to the "principal areas of concern and recommendations" of the Committee as outlined in its concluding comments on Nepal's report (see CEDAW/C/SR 434 and 439). In addition, developments that have taken place during the recent years have been included in this report.

Discriminatory laws

Many discriminatory provisions of law are being progressively reviewed. Initiatives in this regard have taken place at five levels: Government, Parliament, Judiciary, political parties, and civil society organizations. Despite the growing sensitivity with regard to the elimination of discriminatory laws, there is much to be accomplished in this regard. A gradual approach is needed for this. Besides, this has to be achieved against the background of cultural practices and traditions that are substantially influenced by patriarchal norms and values. They should also be taken into account. The Government has constituted a high-level commission to present a report on all existing discriminatory laws against women. The commission's work is in progress.

Human rights and fundamental freedoms for women

The Constitution of the Kingdom of Nepal, 1990 (referred to hereinafter as "the Constitution") guarantees basic human rights and fundamental freedoms to every citizen. Part III of the Constitution codifies them. The Constitution also provides for effective remedy and enforcement of these rights. The Supreme Court is empowered, under its extraordinary jurisdiction, to protect fundamental rights by issuing various forms of writs. Promotion and protection of human rights is also one of the directive principles of state policy.

Temporary special measures

With a view to accelerating the realization of gender equality, the Government has initiated some legal measures in favour of women. This is in line with Article 11(3) of the Constitution. The *Local Self-Governance Act* (1999), The *Civil Service (First Amendment) Act* (1998), and the *Labour Act* (1991) and *Labour Regulations* (1993) under it are examples.

Gender roles and stereotyping

The conventional assumptions on women's role and position, which put women at an inferior level, have not changed very much in Nepal. The movement towards gender equality has not been able to substantially change women's status. Training and educational interventions have been made to improve the situation.

Trafficking in women and exploitation of prostitution of women

According to the prevailing law, traffickers are liable to a maximum of 20 years imprisonment, which should be a strong deterrent against the heinous crime. However, legal provisions alone cannot stop trafficking in women. This problem is deeply rooted in the harsh economic conditions of some communities in the country. The Government has adopted a three-pronged strategy to address this problem. It consists of law enforcement measures, income generation schemes, and educational opportunities. These measures will take time to bear fruit.

Political participation

Women's representation in political and administrative offices is very poor. There is a strong tendency among political parties to confine themselves to the constitutional minimum (5%) when it comes to fielding candidates in elections. Similarly, in the Judiciary, women judges account for only 1.3 per cent of the total number of judges. The Supreme Court has only one woman-judge. In other constitutional bodies, women occupy some positions at the middle management level, leaving all decision-making positions for men. The Public Service Commission has one woman-member. The National Planning Commission (NPC) has never had woman member. Poor representation of women can also be observed in the Cabinet. The most important step in creating opportunities for political participation of women has been the enactment of Local Self-Governance Act (1999). This Act foresees at least 20 percent representation of women in local bodies. Besides, the Ninth Plan has adopted a policy to increase the access of women to political institutions, including through appropriate legislation. The Government is also cooperating with NGOs in improving the overall status of women. They are effectively organizing networks and lobbying groups with the objective of creating pressure on government to introduce policies and affirmative actions in favour of women.

International representation

Women have equal rights and opportunities to represent the Government at the international level. They can also participate in the work of international organizations on an equal footing. As a result, women leaders and officers have become team leaders as well as members of government delegations representing the country. Despite this, women's participation is nominal.

Nationality

According to the constitutional provision, a woman does not fall under the descent of the family. In other words, she alone cannot give any identity to her children. Citizenship can be acquired either through father or through husband. A foreign woman, who is married to a Nepali citizen, may acquire Nepal's citizenship. However, a foreign man married to a Nepali woman is not entitled to Nepali citizenship through such marriage. The role of the Judiciary has been contributory to enhance women's status in terms of citizenship rights.

Education

Nepal has made substantial progress in the field of education during the last 50 years. The literacy rate has increased from around 2 per cent in 1951 to 58 percent in 2000. The number of schools and students at all levels has been steadily rising. Since the implementation of the Fifth Plan (1975-80), the Government has been focusing on women's education. There has been substantial effort to reduce gender disparity in education through general as well as special focused educational programmes. As a result, the overall literacy rate has gone up for both sexes. However, there still exists a distinct gap between literacy rates of the two sexes. In order to address these problems, the Government has been emphasizing on the effective implementation of basic primary education. MOES has made it mandatory that all primary schools have at least one woman-teacher. However, it has not been achieved in all primary schools, especially in remote areas. It has also been emphasising training to woman-teachers. There are several targeted programmes such as alternative schooling, out-of-school programmes, incentives programme for girls and disadvantaged children, and adult literacy promotion through formal and non-formal education. Rampant poverty, inappropriate division of labour between sexes, and gender-biased cultural perceptions stand in the way of promoting female education.

Employment

The labour force participation rate of women in Nepal is 66 per cent with agriculture having the highest number of economically active population. The Constitution guarantees equal pay for men and women workers for similar jobs. Working conditions in general are governed by the Labour Act and the Trade Union Act. Migration for employment is a major source of income for both men and women. The Government has taken several initiatives to enhance the status of employment for women. The Ninth Plan sets, for example, the triple objectives of gender mainstreaming, eliminating gender inequality, and empowering women. In order to better reflect women's

contribution in the national economy, the national census of 2001 adopted the UN System of National Accounting (SNA) 1993. Despite the significant inter-sectoral restructuring of the labour market during the last decade, agriculture is still the most important sector for women's employment. However, the sector is not developing very well.

Health

Nepali women do not enjoy a sound health status. Nepal is among those very few countries where women's life expectancy at birth is lower than that of men. Factors contributing to the high mortality of women include the risks of childbirth and women's limited access to knowledge, food, and care. Early marriage and pregnancy, low literacy, and inadequate family planning services also undermine the health status of women. Access to family planning services is also limited. The per capita daily access to nutrition for women falls short of the recommended minimum. The increasing cases of sexually transmitted diseases (STDs) and HIV/AIDS also reflect on the poor health status of women. The Government has undertaken a number of measures to enhance women's health status. First of all, emphasis is being given to quality and coverage of health services. Health care services in Nepal are based on integrated primary health care and referral curative systems. With the overall goal to reduce maternal/neonatal mortality/morbidity during pregnancy, and childbirth, a plan of action for safe motherhood programme has been prepared. The Government has also taken steps to bring legal reforms in the health sector, especially in reproductive health. Some 200 NGOs are active in providing health services, with focus on reproductive health. The experience with the provision of health services has demonstrated that service provision alone is not sufficient to improve women's health. The poor socio-economic infrastructure of the country affects the health sector. Firstly, the culturally dictated preference for sons accords low priority to women's health in the family. Secondly, women are married at a relatively young age, and there is a tendency to bear children soon after marriage. Thirdly, women tend to remain silent — even within the family — on their health problems, especially in reproductive health. Fourthly, the supply of reproductive health drugs and family planning devices, including contraceptives, is inadequate. Fifthly, men's involvement in family planning remains much to be improved. Despite the substantial increase in the use of modern contraceptives, women-based contraceptives continue to dominate the scene implying that they have the primary responsibility for family planning. Finally, the lack of gender disaggregated data and research on women's health affects the quality of health programmes in the country.

Economic and social benefits

Property rights are guaranteed by the Constitution. Accordingly, women enjoy equal rights to receive family benefits, bank loans, mortgages, and other forms of financial credits. The Contract Act 2000 empowers women, for example, to enter into financial contract in any form and establish private firm or company. They can also buy shares of a company and obtain benefits from them. The Constitution also guarantees the rights to culture and religion. However, in the family, a woman member is supposed to be a responsible daughter, an affectionate mother, and a faithful and disciplined wife. Women are regarded as weak and needing protection at every stage of their lives. Traditional culture and social norms highly restrict women's participation in socio-economic development. In the context of inheritance rights, the status of a woman is defined in terms of her marital status. The laws do not restrict equal opportunities of participation in sports and cultural activities. One of the major initiatives taken by the Government is the recently accomplished amendment to the Country Code with the objective of enhancing women's property rights, especially with regard to parental property. However, patriarchal values and traditional understanding of gender roles still undermine women's social status.

Women in rural areas

The country's level of urbanization is low compared to other developing countries. The health status of rural women is comparatively poor. The burden of household chores and early marriages often result in high fertility, morbidity and mortality. The Government has taken a number of initiatives to address this problem. They may be broadly divided into four groups: Providing micro-credit services, creating opportunities in agriculture, enhancing capacity in developing planning, and widening the range of social services. Rural women are being seen as an integral part of development planning. The Local Self Governance Act (LSGA) (1999) ensures that women are involved in planning and implementing under activities community development projects. Rural women are being targeted also for the delivery of social services, including health, education, drinking water and sanitation. Also in the health sector, new initiatives are being taken. Safe Motherhood, reproductive health, the services of female

community health volunteers are examples. The "dualistic" character of the Nepalese economy poses a formidable challenge for integrating the rural economy with the national economy. Lack of adequately developed infrastructure and inaccessibility also hinder the implementation of development activities. Scattered settlements, especially in the hilly areas, further complicate the delivery of public services. Due to limited mobility, economic opportunities are more limited for women than men. Also in terms of social development, rural areas are lagging behind.

Equality before law

The Constitution guarantees all citizens the equality before law and equal protection of law. No one shall be discriminated against on the basis of sex. Also equal remunerations for men and women are guaranteed by the Constitution. In addition, Civil Rights Act 1955, Labour Regulations 1993, and Children's Act 1992 also guarantee the right to equality. Despite these constitutional and legal provisions, Nepali women are suffering from social, economic, and political discrimination. Major areas of discrimination include citizenship rights, property, employment, reproductive health rights, marriage, family relations, and punishment and legal proceedings. The Government has taken initiatives to change discriminatory provisions of the law. Besides, HMG's plans and policies are also geared towards eliminating discriminatory laws. For example, the Government has constituted a high-level commission to present a report on all existing discriminatory laws against women. The eight-member commission headed by the Secretary to Judicial Commission will first review discriminatory laws against women and present a report with suggestions on reform measures. The decision to form the commission is based on the Constitution and also on CEDAW. Further, awareness-raising programmes have also been launched. Deep-rooted cultural norms and patriarchal values are themselves unfavourable to women. As a result, social preference for sons in schooling, neglect of women's health needs, child marriage and unmatched marriage, bigamy/polygamy are still part of the reality. Dowry and domestic violence are still other problems.

Marriage and family relations

Although family relations are governed by civil law, women are not treated equally with men. The Government wants to address these problems through (a) the implementation of poverty reduction measures, (b) public awareness campaigns, and (c) institutional measures for an effective enforcement of the legal provisions that are in place. Rampant poverty and a low level of social awareness constitute the primary problems in this area. Some socio-psychological institutions also play a contributory role in perpetuating the existing situation.

Measures taken to implement the Beijing Declaration and Platform for Action

Nepal is fully committed to the Beijing Declaration and Platform for Action (BPFA). The 12 "critical areas of concern" identified by BPFA for achieving gender equality and women's empowerment are very pertinent to Nepal. Despite the commitment expressed by the Government in favour of BPFA, the situation of women has much to improve. The country suffers even today from gender disparity and social, economic, and legal discrimination against women, as also the foregoing discussion makes clear. The Government is fully aware of this and implementing all measures that are within its means with a view to meeting its BPFA obligations. A National Plan of Action (NPA) has been formulated and put into effect covering all critical areas of concern.

Part I: Developments in the areas of concern and Recommendations of the Committee

Elimination of discriminatory laws against women (paragraphs 22 and 23 of the concluding comments)

1. The discriminatory provisions of law are being progressively reviewed. Initiatives in this regard have taken place at five levels: Government, Parliament, Judiciary, political parties, and civil society organizations. Besides, the Government has constituted a high-level commission to present a report on all existing discriminatory laws against women. The commission's work is in progress (see paragraphs 16-22).

Enhancing educational opportunities for women (paragraphs 24-26 of the concluding comments)

2. The Government has been promoting the concept of women's education, particularly since the implementation of the Fifth Plan (1975-80). This happens, firstly, within the general programmes on education, and secondly, as part of many women-focused programmes. As a result, the overall literacy rate has gone up for both sexes. The framework of action includes free and compulsory primary education, 50 per cent improvement in adult literacy by 2015, elimination of gender disparities in primary and secondary education by 2005, and gender equality by 2015. There are several targeted programmes such as alternative schooling, out-of-school programmes, incentives programme for girls and disadvantaged children, and adult literacy promotion through formal and non-formal education. It is mandatory for primary schools to have at least one female-teacher. Nepal is also promoting technical education and vocational training (TEVT) for women. The existing TEVT system has a wide institutional coverage and a multiplicity of programme offerings (see paragraphs 61-68).

Gender sensitization for policymakers (paragraphs 27 and 28 of the concluding comments)

3. The Government has created an institutional mechanism for the enforcement of women's rights. It includes the National Council for the Development of Women and Children headed by the Prime Minister and the Ministry of Women, Children and Social Welfare (MWCSW). MWCSW has been defined as the lead agency to follow up and take necessary measures to meet Nepal's international obligations on gender equality. Accordingly, it has the mandate to supervise, monitor, evaluate, and coordinate women development activities of all other ministries/departments. Besides, various sectoral ministries have "women and development" units to ensure women's participation in related activities. Currently, the Ministries of Local Development, Agriculture and Cooperatives, Labour and Transport Management, and Education and Sports have such units. In addition, the Secretariats of National Planning Commission and Water and Energy Commission under the Ministry of Water Resources (MOWR) have women and development units. Various other ministries, which do not have these units, have projects/programmes on women. They include the Ministries of Health, Forestry, and Soil Conservation, Culture, Tourism and Civil Aviation, Population and Environment, and Industry, Commerce and Supplies. Separate women' cells have been created also in Nepal Police.

4. MWCSW has been organizing training programmes on women's rights and the need for gender equality. These programmes include policy-makers, civil servants, and members of the civil society. In addition, MWCSW has been conducting seminars/workshops on relevant issues. Publication is another important activity of MWCSW in this regard. These awareness programmes cover, among others, Nepal's obligations under CEDAW. It must be noted in this context that MWCSW has been able to enlist significant support of various civil society organizations. The civil society itself is very active in gender sensitization. There are 10,719 NGOs (as of December 1999) registered with the Social Welfare Council (the total number of NGOs is estimated at 25,000). Out of them, some 1100 NGOs are working primarily on women's issues. They have been playing a very effective role in promoting gender awareness.

Gender disaggregated data (paragraphs 29 and 30 of the concluding comments)

5. The Government has initiated to generate gender specific information on various socio-economic aspects of the country. The first step towards this is the decision to engender the national census of 2001 by including household economic activities carried out by women. Also a gender disaggregated monitoring system will be introduced. The Central Bureau of Statistics is taking the lead in these areas with financial and technical assistance from the UN system. This is being done by adopting the UN System of National Accounting (SNA) 1993 in order to widen the definition of production boundary to include women's contribution to national economy. Some 22,000 enumerators were trained on how to collect gender-disaggregated data in course of conducting the census. This was in itself an awareness promotion measure. Besides, 20 per cent of the enumerators were women. The Nepal Labour Force Survey (1998/99) already provides gender-disaggregated data and uses much broader definition of economic activities recognizing many of the contributions made by women to the household economy. Also this report provides gender specific information on various issues.

Reproductive rights, including rights related to family planning and abortion (paragraphs 31 and 32 of the concluding comments)

6. The Government has undertaken a number of measures to enhance women's health status. First of all, emphasis is being given to quality and coverage of health services. Of special importance for women is the arrangement of Maternal Child Health Workers at the sub-health post level. It is having a significant impact on the overall improvement in health coverage. In addition, some 14000 traditional birth attendants and 47000 Female Community Health Volunteers are directly involved in providing health care services for women. There is a long-term commitment to enhancing women's health status in the country. Internationally, Nepal is committed to meeting the requirements under the ICPD (Cairo) and Beijing Conferences. At the national level, three major plans have been adopted. They are National Plan of Action (NPA) on Gender Equality and Women Empowerment, Second Long-Term Health Plan (1997-2017), and the Ninth Plan. The NPA foresees actions such as amendment to the existing laws related to women's health, expansion of reproductive health services, and gender disaggregated monitoring of progress in health services. Safe motherhood and gender-sensitive planning are its other major programme priorities. The Government has also introduced some legal reforms and initiated IEC and awareness programmes. Further, a life cycle approach has been adopted focusing on expanded coverage of family planning services and intensification of IEC programmes on reproductive health. This is expected to reduce the risks of unwanted pregnancies. On the other hand, facilities for safe abortion are being created. Women will not have to take the risks of unwanted pregnancies once these facilities are in place (see paragraphs 86-94). In addition, the 11th amendment to Country Code allows abortion under certain conditions (see paragraph 93).

Trafficking in women for the purpose of prostitution (paragraphs 33 and 34 of the concluding comments)

7. The Government has adopted a three-pronged strategy to address the problem of trafficking. It consists of law enforcement measures, income generation schemes, and educational opportunities. Besides, rehabilitation plans are in place. MWCSW has taken the lead in formulating a national policy in this regard. MWCSW is working as the focal point for implementing measures against trafficking in women and children (paragraphs 30-37).

Opportunities for participation in decision-making (paragraphs 35 and 36 of the concluding comments)

8. The Ninth Plan has adopted a policy to increase the access of women to political institutions, including through appropriate legislation. The Plan also recommends affirmative action to enhance women's participation and endorses the National Plan of Action (on gender mainstreaming) prepared by MWCSW. The Plan includes strategies to increase the number of women in the constitutional bodies, judicial service, public enterprises, and the civil service. In line with these objectives, the Plan has suggested various measures to implement. They may be grouped in two categories: legal measures and capacity-enhancement measures. The Government is also cooperating with NGOs in improving the overall status of women. They are effectively organizing networks and lobbying groups with the objective of creating pressure on government to introduce policies and affirmative actions in favour of women. With a view to accelerating the realization of gender equality, the Government has initiated some legal measures in favour of women. The *Local Self-Governance Act* (1999), The *Civil Service (First Amendment) Act* (1998), and the *Labour Act* (1991) and *Labour Regulations* (1993) are examples (see paragraphs 25, 42-47).

Combating discriminatory customs and practices (paragraphs 37 and 38 of the concluding comments)

9. The Government wants to address these problems through (a) the implementation of poverty reduction measures, (b) public awareness campaigns, and (c) institutional measures for an effective enforcement of the legal provisions that are in place. With regard to poverty alleviation measures, various targeted programmes have been initiated. For the promotion of public awareness, advocacy programmes have been launched, and a number of media tools, including posters, documents, street theatres, and radio and TV messages have been used. The programmes on education are also expected to raise awareness, especially among women. It is very encouraging to note that the civil society has been a vibrant and dynamic partner of the Government in working towards raising public awareness. Many NGOs/INGOs are themselves launching targeted programmes on awareness promotion and poverty alleviation initiatives focused on underprivileged women. With a view to increasing the effectiveness of law enforcement agencies, training programmes have been mounted for civil servants and police personnel. Further, the Ninth Plan

has envisaged the mobilization of government organizations and local bodies to control all kinds of crimes and violence against women, which are caused by the discriminatory customs and practices, through preventive, communicative, and rehabilitative measures so that women's human rights could be honoured. Further, punitive provisions of existing laws are being amended to control crimes in this field (see paragraphs 142-144).

Equal employment opportunities for women (paragraphs 39 and 40 of the concluding comments)

10. The Government has taken several initiatives to enhance the status of employment for women. The Ninth Plan sets, for example, the triple objectives of gender mainstreaming, eliminating gender inequality, and empowering women. Under mainstreaming, the Plan emphasizes the formulation of policies and programmes at different levels of administration with appropriate monitoring and evaluation mechanisms. Similarly, information systems will be improved so that they can reflect women's contributions to GDP. The elimination of gender inequality should be achieved through reform of discriminatory laws, introduction of affirmative actions in favour of women, and promotion of mass awareness on the theme of gender. The third objective of empowerment foresees provisions for higher representation for women in policy and decision-making, better access to productive resources, and capacity enhancement. The Plan endorses many of the commitments made in the National Plan of Action (to implement the Beijing Platform for Action), including the provisions for reservation of 25 per cent of employment-oriented training seats and 20 per cent of new job opportunities for women. Besides, given the importance of agriculture in terms of creating job opportunities for women, the Agricultural Perspective Plan seeks to ensure women's participation in agricultural programmes through staffing and attitudinal changes. It stresses that all training programmes on agricultural activities have equal number of men and women participants (see paragraphs 76-79).

Improving conditions of women in rural areas (paragraphs 40, 41, and 42 of the concluding comments)

11. The Government has taken a number of initiatives to address the problems of intra-country variation in the living standard. Such programmes also cover rural women. They may be broadly divided into four groups: Providing micro-credit services, creating opportunities in agriculture, enhancing capacity in developing planning, and widening the range of social services. On the other hand, rural women are being seen as an integral part of development planning. The LSGA (1999) ensures that women are involved in planning and implementing under activities community development projects. The Ninth Plan intends to mainstream women into the planning process through training, education, and promotion of women's groups. These programmes focus on skills promotion, income generation, employment creation, and infrastructure development. Use of appropriate technologies and marketing services are also receiving prominence (see paragraphs 111-134).

Enhancing access to public services for minority groups (paragraph 42 of the concluding comments)

12. Nepal is a multi-ethnic, multi-cultural society. The Constitution clearly recognizes this. There are 61 indigenous ethnic groups and four castes with more than 125 languages and dialects. The status of women in different ethnic/linguistic groups is not uniform. Also, regional differences influence women's status. There are, therefore, no "minority groups" as such. Programmes on improving the status of women from the underprivileged section of the population cover also the "minority groups", if any.

Dissemination of "concluding comments" and other instruments (paragraph 43 and 44 of the concluding comments)

13. MWCSW has been cooperating with civil society organizations in disseminating information on CEDAW and the concluding comments of the Committee. An information package on CEDAW has been prepared in cooperation with civil society organizations. In this context, relevant documents, including the concluding comments have been translated into Nepali for a better understanding of Nepal's international obligations on creating conditions for gender equality. Mainstreaming Gender Equity Project (MGEP) of UNDP has been providing support in this area. Work is also in progress on developing monitoring indicators and implementation status of CEDAW so that an objective evaluation of different programmes could be carried out.

Part II: New Developments in the Area of Elimination of Discrimination Against Women

Review of discriminatory laws (Articles 1 and 2)

Basic information

14. The Constitution of the Kingdom of Nepal upholds the principles of equality and human rights. As mentioned in the Initial Report, there are a number of legislative instruments that are geared towards eliminating discrimination against women. Article 11(2) of the Constitution is explicit in recognizing equal rights for both men and women: "No discrimination shall be made against any citizen in the application of general laws on the grounds of religion, race, sex, caste, tribe or ideological conviction or any of these."

15. Despite constitutional provision of equal legal status for men and women, some is yet to materialize. It must be noted that continued discrimination against women may not be attributed to legal provisions only. A number of political and socio-economic factors, including illiteracy, cultural norms based on patriarchal values, poor representation of women in policy-making, and poverty are also responsible for this.

Change initiatives

16. The discriminatory provisions of law are being progressively reviewed. Recently, the Government has constituted a high-level commission to present a report on all existing discriminatory laws against women. The eight-member commission headed by the Secretary to Judicial Council Secretariat will first review discriminatory laws against women and present a report with suggestions on reform measures. Its work is still in progress. There are also other initiatives in this regard, which have taken place at five levels: Government, Parliament, Judiciary, and political parties, and civil society organizations. A brief review of the activities of these institutions will be attempted in the following paragraphs.

17. As mentioned above, the Constitution requires the government to refrain from discriminating against women. The government has, therefore, taken various positive steps towards gender equality. One of them is to provide access to justice through the Legal Aid Act (1997), which foresees that women-focused legal aid is provided free of cost to indigent persons, especially women, through court-hired lawyers, various projects, and law firms. In view of the special needs of disadvantaged women, free legal aid programme has been introduced. The programme foresees free legal aid, legal literacy, advocacy for equal rights, and rehabilitation of victims. Free legal aid is available in cases of abortion, trafficking, sexual exploitation, and domestic violence. A 10-member Central Women Legal Aid Committee has been formed under the chairpersonship of Secretary of MWCSW for this purpose. Similarly, the Immigration Rules have been amended to allow visa to male foreign nationals married to Nepali women (subject to renewal every year). Also, an amendment to the Act Relating to Land (1964) enables daughters, daughters-in-laws, and granddaughters to obtain tenancy rights (reserved for men in the past), although the Act still does not include daughters in the definition of family. However, even after this amendment, a daughter must have attained 35 years of age and be unmarried to inherit the tenancy rights. Recently, the Country Code has been amended to give more rights to women. The Country Code (Eleventh Amendment) Act recognizes that daughters are entitled to ancestral property. Previously, an unmarried daughter had this right only when she was above the age of 35. However, a daughter must return her share to the heir in case she gets married in the meantime. With the new amendment, also a widow is fully entitled to inheritance. On the other hand, the amendment has removed the condition that a woman must attain 35 and complete 15 years of marriage before she could live separately from her husband and get her share of property. Even a divorcee woman gets a share of the family property. It also grants the right to food, clothing, appropriate education, and healthcare to daughters, as is the case for sons. The stated objectives of the amendment are "to uphold constitutional guarantees, meet Nepal's obligations under CEDAW, and honour the directive orders of the Supreme Court. The amendment includes various progressive provisions on cases related divorce, adoption, marriage, abortion, violence against women, and rape. MWCSW has been active in introducing changes in other areas of concern. For example, it has drafted new Bill on controlling Domestic Violence against Women. On the other hand, a new Bill is being proposed to substitute the Human Trafficking (Control) Act (1986) with a view to incorporating relevant provisions in various laws into a single law. The Government has also formed

a National Commission on Women. In addition, the Government has drafted a Plan of Action to implement CEDAW at the national level.

18. Interventions made by the Parliament to amend discriminatory laws include statements by MPs in Parliamentary discussions on women's status in the country. On many occasions, they have highlighted the need to review the discriminatory provisions of law against women. One such occasion was the discussion on the "existing discriminatory provisions and required areas for reforms" organized by Social Justice Committee of the National Assembly (Upper House) in March 2000. During the discussion, the MPs not only criticized the discriminatory provisions but also prepared a draft to amend the Country Code and submitted to fellow MPs for their review and action. Similarly, MPs are speaking of the need to increase budgetary allocation for programmes on women. And this is going beyond party politics. In this regard, a caucus by women MPs from all political parties has been formed to pursue women-related issues in the Parliament without any ideological bias.

19. Under the Constitution, the courts have power to make interpretation of prevailing laws, and under such power, judges have been gender-sensitive while interpreting the laws. There have been many cases, in which the Supreme Court has interpreted law in this manner. In one case related to equal property rights for women *(Mira Dhungana v. Ministry of Law, Justice and Parliamentary Affairs)*, it has even issued a directive order, requiring the Government to introduce appropriate legislation to enforce gender equality provisions enshrined in the Constitution. In doing so, the Court has emphasized the importance of maintaining social ethos. It has also adopted a progressive view by asking the Executive to "study and keep in mind legal arrangements devised in this regard in other countries". The Court has made a similar order in relation to women's tenancy rights under the *Lands Act* (1964). The Court's intervention in the provisions of the *Rules Relating to Foreigners* (1975) has resulted in changes in *Immigration Rules* (1996) that now enable a foreign husband of a Nepali woman to obtain visa. Similarly, the Court has declared a provision of the *Royal Nepal Airlines Corporation Rules* (1974) *ultra vires*. The *Rules* discriminated against women workers in terms the age of retirement for crewmembers, which was 55 years for men and 30 years of age or 10 years of service for women (air hostesses). Some other judgements have laid down useful precedents for protecting women's rights. They include, for example, recognition of mother as the natural guardian of her child (*Alok Chalise v. Shiru Chalise*), establishment of a wife's right to separation (*Lila Bahadur Karki v. Annapurna Karki*), priority to daughters over adopted or stepsons (*Surya Bahdur Thapa v. Dham Kumari Saru Magar*), and acceptance of confession before administrative authorities as evidence in case of rape (*Prem Bahadur Gharti v. HMG*).

20. At the political level, all political parties have been making commitments towards women's upliftment and gender equality, particularly in their election manifestos. Accordingly, the parties themselves and their sister organizations have been launching awareness programmes, including the drafting of an alternative Bill on equal property rights for women. On the other hand, they have undertaken studies on various aspects of gender equality, especially in relation to property rights.

21. Civil society organizations have been active in monitoring state compliance to eliminate discriminatory laws and promoting an effective delivery of justice for women. Advocacy, lobbying, and networking are their major strategies. They are also cooperating with the Government in drafting laws on women's rights. Interestingly, women's issues taken up by these organizations have transcended all political boundaries. The Women Pressure Group consisting of women from different political parties and activists presents an example. Civil society organizations have also undertaken a number of studies on the issues of gender equality. On the other hand, they have initiated public interest litigation challenging some discriminatory provisions of prevailing laws. However, these are not effective enough to bring any positive impact in women's lives.

22. A national CEDAW committee has been formed with representatives from various line ministries in order to monitor the implementation of CEDAW provisions. MWCSW has been designated as the focal point of CEDAW-related activities. On the other hand, the Optional protocol of CEDAW is in the process of ratification. The NGOs on their part have formed a CEDAW Monitoring Committee in order to make the government accountable for its obligations under CEDAW.

Challenges ahead

23. Despite the growing sensitivity with regard to the elimination of discriminatory laws, there is much to be accomplished in this regard. This has to be achieved against the background of cultural practices and traditions that are substantially influenced by patriarchal norms and values, which form the major challenges in this regard. This affects, among others, prioritizing programmes on gender equality and allocating resources to them. Developing common understanding among the key players has also been a major challenge. This is further complicated by intra-institutional differences of opinion. Women's minimal participation in power and decision-making (see paragraphs 40-41) is yet another challenge in eliminating discriminatory laws.

Human rights and fundamental freedoms for women (Article 3)

24. The Constitution guarantees basic human rights and fundamental freedoms to every citizen. Part III of the Constitution codifies them. The Constitution also provides for effective remedy and enforcement of these rights. The Supreme Court is empowered, under its extraordinary jurisdiction, to protect citizens' rights by issuing various forms of writs. Promotion and protection of human rights is also one of the directive principles of state policy. However, these provisions for formal equality have not yet been able to lead to substantive results.

Temporary special measures (Article 4)

25. With a view to accelerating the realization of gender equality, the Government has initiated some legal measures in favour of women. This is in line with Article 11(3) of the Constitution. The *Local Self-Governance Act* (1999), The *Civil Service (First Amendment) Act* (1998), and the *Labour Act* (1991) and *Labour Rules* (1993) under it are examples. The *Local Self-Governance Act* foresees at least 20 percent seats for women in local bodies enabling some 40,000 women to directly participate in the decision-making process at the grassroots level. Similarly, the *Civil Service Act* allows women to join the Civil Service until the age of 40 against 35 for men. On the other hand, the Act foresees a probationary period of six months for women employees, whereas it is one year for men. In addition, the minimum service period for promotion is shorter for women by one year in the respective service groups. The *Labour Act* on its part provides for an enabling environment for equal employment opportunities for women workers. The Act and its Regulations including a provision for establishing childcare centres in organizations with more than 50 women employees. There is also a breast-feeding break during work hours. In addition, women are entitled to a 52-day maternity leave. Besides, the Ninth Plan foresees affirmative action to ensure women's participation in development activities. On the other hand, the National Plan of Action to implement BPFA commits itself to implementing more affirmative actions in favour of disabled and disadvantaged women.

Gender roles and stereotyping (Article 5)

Basic information

26. The conventional assumptions on women's role and position have not changed very much in Nepal. Traditionally, women are supposed to hold an inferior position at home and in the society. Their primary role is to take care of the children and perform household work. Various social and cultural patterns stand in the way of women's full development. The movement towards gender equality has not been able to substantially change women's status. For example, the GDI (gender-sensitive development index) value for Nepal is 0.267, which is lower than many other countries in South Asia (NESAC: 44-45).

Change initiatives

27. Training has been recognized as a major tool to improve the situation. Various training institutions, such as Academy for Women's Training, Nepal Administrative Staff College, Local development Training Academy, Police Academy, Judicial Service Training Centre, and various NGOs have included gender concerns in their programmes. On the other hand, changes in school textbooks at the primary level are being included with a view to bringing to an end stereotyping of gender roles.

Suppression of traffic in women and exploitation of prostitution of women (Article 6)

Basic information

28. Legal provisions against trafficking and exploitation of prostitution have been outlined in the Initial Report. According to the prevailing law, traffickers are liable to a maximum of 20 years imprisonment, which should be a strong deterrent against the heinous crime. However, legal provisions alone cannot stop trafficking in women. This problem is deeply rooted in the harsh economic conditions of the poor. Lack of awareness, illiteracy, and poor employment opportunities act as "push factors" for trafficking in women and children. The fact that as high as 35 per cent of the girls trafficked for the purpose of prostitution from Nepal to the neighbouring countries are abducted in the pretext of finding good jobs or marriage opportunities for them indicates the need for going beyond legislation against trafficking.

29. Gender disparity is high in the distribution of the "fruits" of development across the country. However, the mountain region is most characterized by it. In terms of the gender-sensitive development index (GDI), the mountain region has the highest level of gender disparity with as many as 18 districts having a GDI value of less than 0.2. Similarly, 33 districts have a GDI value between 02-03 (NESAC: 44-46). It is, therefore, no coincidence that the problems of trafficking and prostitution "originate" mostly in these districts.

Change initiatives

30. The Government has adopted a three-pronged strategy to address this problem. It consists of law enforcement measures, income generation schemes, and educational opportunities. MWCSW has taken the lead in formulating a national policy in this regard. MWCSW is working as the focal point for implementing measures against trafficking in women and children.

31. The Government has formed a Coordination Committee and Task force at the national level to coordinate the activities to be carried out against trafficking. In the affected areas, Task Forces have also been formed at the district and village levels with representatives from local bodies, police units, and NGOs. Besides, there are 26 district task forces to combat trafficking in women and children at the district level. There are also administrative measures in place. Nepal Police has created a Women's Cell at its headquarters. The Cell has launched, in coordination with UNICEF, awareness programmes in various districts with regard to trafficking and sexual exploitation. This project has also other components such as capacity building of police officers and database management on criminal activities in this field. Nepal Police Headquarter is creating Women's Cells (at present 16) in its district level security units. In addition, Nepal Police Headquarter is implementing a five-year long project to train and mobilize the police in awareness raising and trafficking preventing.

32. MWCSW has also launched a project, which focuses on the prevention of trafficking. It has formulated a National Plan of Action against Trafficking in Children and their Commercial Sexual Exploitation. MWCSW itself is the coordinating agency for this Plan. The Action Plan has six components:

    a) Policy research and institutional development
    b) Legislation and enforcement
    c) Awareness creation, advocacy, networking, and social mobilization
    d) Health and educational interventions
    e) Income and employment generation
    f) Research and reintegration

    The existing Action Plan is being reviewed with a view to removing its shortcomings. It must also be noted in this context that MWCSW has presented to Parliament two separate Bills on the prevention of trafficking and domestic violence. They are under consideration. A number of NGOs and relevant government agencies were consulted during this exercise.

33. The issue of poverty, especially among women, is being addressed within the overall policy framework of the Ninth Plan (1997-2002). The Plan itself has the single objective of poverty alleviation. In addition, the Agricultural

Perspective Plan (1997-2017), the LSGA 1999, and various micro-finance schemes are geared towards reducing women's poverty. They are being supported by skills promotion programmes and vocational training schemes (see paragraphs 111-134).

34. The Government has given a great emphasis on enhancing educational opportunities for women. Major programmes include higher enrolments of girls in schools, non-formal education, and education for school dropouts (see paragraphs 61-68). The Government is also working with civil society organizations, social workers, media persons, and girl students in promoting awareness among people, focusing on highly affected areas. Media campaigns have also been launched against trafficking. Two networks comprising several NGOs have been actively promoting this cause: National Network against Girl Trafficking and Alliance against Trafficking in Women in Nepal. Further, the UNS Task Force on Trafficking and the Inter-agencies Task Force on Trafficking are also actively engaged in addressing the problems of trafficking.

35. In view of the need for special care and protection of the victims of crimes related to trafficking, MWCSW has started running a 'women self-reliance and rehabilitation home' since 1998. Civil society organizations are also being encouraged to run such centres. Many NGOs are doing this mobilizing, among others, the support of international donors. In addition, many NGOs are working at the grassroots level for the prevention of trafficking. In order to address the problem of the girl children at risk, some NGOs have initiated childcare shelters to accommodate street girls, homeless girls, orphans, destitute girls, and those who have been subjected to trafficking. The Government has created a favourable policy environment for such activities. Also some UN agencies are providing assistance in this regard.

36. Also the Judiciary is interpreting legal provisions on trafficking in a favourable way for the victims of traffickers. For example, in a case involving the first information report (FIR) by a woman (*Durga Dhimal v. HMG*), the court has ruled that "the statement of the woman who lodged the FIR is reliable and must be taken as evidence in this case" and put the burden of proof on the offender (*Nepal Kanoon Patrika* 2054:332). This has encouraged the victims of trafficking to file an FIR.

37. In the context of Nepal, trafficking in women is also a trans-border problem. Nepal is, therefore, willing to cooperate with the neighbouring countries in addressing this problem. This should happen within the framework of SAARC (South Asian Association for Regional Cooperation). At the SAARC level, a Convention on Preventing and Combating Trafficking in Women and Children for Prostitution has been signed at the 11th SAARC Summit held in Kathmandu in January 2002. During the Summit, SAARC Heads of State or Government also expressed their collective resolve to treat the trafficking in women and children as a criminal offence of serious nature. It was also agreed to establish a voluntary fund for the rehabilitation and reintegration of the victims of trafficking. Nepal has also participated in the 1st and 2nd World Congresses against Commercial Sexual Exploitation of Children held in Sweden and Yokohama in 1996 and 2001 respectively and is committed to taking up this theme at the international level.

Challenges ahead

38. It is obvious that these measures take time to bear fruit. However, it is encouraging to note that there is a slight decrease in the number of trafficking cases in the country. It has come down from 117 in 1996-97 to 110 in 1998-99 with a jump to 130 in 1997-98 (MWCSW 2000:25). Caution should be taken in reading these figures, as they represent only the reported cases. There are many cases, which remain unreported. Trafficking, therefore, persists as a major problem. One major shift observed in this activity has been that of location. As many social organizations and government bodies have launched campaigns against trafficking in women in the most affected districts in the mountain region, traffickers seem to have started their activities in new areas on the international border. On the other hand, new market destinations seem to have been identified by the culprits, creating an increased need for vigilance among law enforcement agencies. On the face of resource crunch, rehabilitation of victims has also become a major challenge. They have to be provided jobs, and there is a need for attitudinal change in the society towards them. Besides, efforts have to be made at the community level to control trafficking. All socio-political groups should be mobilized towards this end. Coordination of these activities represents another major difficulty.

Political participation of women (Article 7)

Basic information

39. Participation of women in policymaking is necessary to enhance their status in the society. As outlined in the Initial Report, the Constitution requires all political parties to nominate at least five per cent women candidates for House of Representatives elections. Besides, at least three seats in the Natio .al Assembly are reserved for women. There are also special provisions for women in the Civil Service Act (1998) in terms of entry regulations, career development, and service conditions.

40. Despite this, women's representation in political and administrative offices is very poor. There is a strong tendency among political parties to confine themselves to the constitutional minimum when it comes to fielding candidates in elections. For example, in the 1999 parliamentary elections, of the 2224 candidates only 141 (6 per cent) were women, and no major party allocated more than seven percent of its seats for women candidates. The situation was not different in earlier elections (1991 and 1994). Women are underrepresented also in the civil service and constitutional bodies. There are 93,716 positions in the Nepal Civil Service. Out of them, only 8008 (8.55 per cent) are occupied by women (February 2001). The proportion goes on declining when one moves up in the administrative hierarchy. At the policy level, for example, there are only 4.02 per cent women executives (Table 1).

Table 1: Representation of Women in the Civil Service

Description	Total number	Women	Share of women (%)
A. Women at various levels			
Strength of the civil service	93,716	8,008	8.55
Gazetted level employees	9,517	487	5.12
Non-gazetted employees	84,199	7,521	8.93
Officers at policy level (Special and First Class)	647	26	4.02
Officers at Class Two	2,356	113	5.04
Officers at Class Three	6,514	348	5.34
B. Women in different services			
Health service (highest)		3,919	48.90
Administrative service		3,177	39.67
Parliamentary service (lowest)		5	0.06
Other services		907	11.32
C. Women under different Ministries			
Ministry of Health (highest)		4,619	57.68
Prime Minister's Office (lowest)		3	0.03
Other Ministries		3,386	42.29
D. Women in different Development Regions			
Central Development Region (highest)		3,587	44.79
Far-Western Development Region (lowest)		352	4.40
Other Development Regions		4,069	50.81

Source: Ministry of Women, Children and Social Welfare.

41. Similarly, in the Judiciary, women judges account for only 1.3 per cent of the total number of judges. The Supreme Court has only one-woman judge. In other constitutional bodies, women occupy some positions at the middle management level, leaving all decision-making positions for men. The Public Service Commission has one woman-member. The National Planning Commission (NPC) has never had woman member. Poor representation of women can also be observed in the Cabinet. After the restoration of democracy in 1990, ten governments have come to

power. Only one Cabinet had three women ministers, two Cabinets had two women members and four Cabinets had only one woman-member. Three Cabinets did not have any woman in it. The recently created National Human Rights Commission has one woman-member (20 per cent) in it.

Change initiatives

42. The most important step in creating opportunities for political participation of women has been the enactment of Local Self-Governance Act (1999). This Act foresees at least 20 percent representation of women in local bodies. Pursuant to the Act, each ward elects one councillor to make a total of nine councillors from a VDC. At least one woman is nominated in the executive committee of VDC. It means that at least forty thousand women are elected to local bodies. Their representation has been provided in municipalities and district development committees as well. In case of executive committees of municipal local bodies, women's representation can be even stronger. A municipality can nominate six to twenty members from women and other disadvantaged communities, and of them forty per cent nominees should be women. Women representation is also provided for both in District Councils and District Development Committees (DDCs). At least one woman should be nominated in these Councils. Despite these arrangements, women's representation is still very low except in VDCs and Municipalities (Table 2).

Table 2: Women's representation in local bodies

Local bodies	Total representatives	Women representatives	Share of women (%)
District Councils	10,000	150	1.5
District Development Committees	1,117	75	6.7
Municipalities	4,146	806	19.5
Village Development Committees	50,857	3,913	7.7
Village Councils	183,865	3,913	2.1
Ward Committees	176,031	35,208	20.0

Source: Election Commission reports.

43. The Local Self-Governance Act has enlarged the functions, roles, and competencies of local bodies, including VDCs, municipalities, and DDCs. With this, the roles and functions of women representatives elected or nominated to these local bodies have also expanded. Village Councils, Municipal Councils and District Councils have the role of legislative organs at the respective levels. In other words, the members of the councils should perform the role of lawmakers. The councils are supreme organs especially for approval of programmes and budget, as they have the final word in the revenue and financial proposals tabled by the executive committees. With the opportunity to work in these committees, women are gaining on self-esteem and respect in the society. This has also motivated the political parties to support women candidates in elections. The higher rate of success of women candidates in the 1999 general elections could be associated with these developments. Seven women MPs (3.4 per cent) were elected to the House of Representatives in the first and second general elections held in 1991 and 1995 respectively. In the third general elections, their strength increased to 12 (5.8 per cent). Similarly, the number of women MPs in the National Assembly has increased from 3 (5 per cent) in 1991 to 9 (15 per cent) in 1999. In the meantime, the number has come down to 8. It was 5 (8.3 per cent) in 1995. (Table 3). With the National Assembly election of 2001, only eight women members are in the National Assembly.

Table 3: Women in parliament (1991-1999)

Year	House of Representatives			National Assembly		
	No of MPs	Women MPs	Share of women (%)	No of MPs	Women MPs	Share of women (%)
1991	205	7	3.41	60	3	5
1995	205	7	3.41	60	5	8.33
1999	205	12	5.85	60	9	15

Source: Election Commission Reports.

44. The political parties do not seem to very generous towards increasing women's participation in decision-making. No major party has, for example, more than 10 per cent women in its central committee (Table 4).

Table 4: Women in central committees of political parties

Name of party	Members in central committee	Women members	Share of women (%)
Nepali Congress	31	3	9.67
Rastriya Prajatantra Party	40	3	7.50
Nepal Communist Party (UML)	34	3	8.82
Nepal Communist Party (ML)	35	3	8.57
Nepal Sadbhavana Party	31	2	6.45

Source: Forum for Women, Law and Development 2000.

45. The Ninth Plan has adopted a policy to increase the access of women to political institutions, including through appropriate legislation. The Plan also recommends affirmative action to enhance women's participation and endorses the National Plan of Action (on gender equality and women empowerment) prepared by MWCSW. The Plan includes strategies to increase the number of women in the constitutional bodies, judicial service, public enterprises, and the civil service. In line with these objectives, the Plan has suggested various measures to implement. They may be grouped in two categories: legal measures and capacity-enhancement measures. On the legal side, the Plan seeks to obtain a 20 per cent reservation for women in both Houses of the Parliament. It also intends to open up the military service for women by introducing changes in the Army Act. With a view to widening opportunities in the civil service, it foresees modifying the curricula for the Public Service Commission examinations, which has already been accomplished. There should also be at least one woman in all constitutional bodies and the NPC. With regard to capacity enhancement of potential women candidates for public service positions, MWCSW has been conducting, within the framework of the Plan, special training courses and coaching classes for women taking the Public Service Examinations. Currently, these classes are organized for the entry-level positions ("Section Officers"). This programme is expected to help increase the rate of success of women candidates in these examinations. The results are yet to come.

46. The Government is cooperating with NGOs in improving the overall status of women. They are effectively organizing networks and lobbying groups with the objective of creating pressure on government to introduce policies and affirmative actions in favour of women. The Government encourages such initiatives and solicits participation from NGOs in its activities. One of the recent examples of cooperation between government agencies and NGOs may be found in Nepal's *Beijing Plus Five Country Report* (2000). The Report was prepared with substantial involvement of civil society organizations active in this field. This approach has contributed to achieving a better understanding of problems and identifying the future course of action. Some 600 NGOs are active in the field of women's development and empowerment. They could be used to promote political awareness among women and address the problems encountered in this area.

47. As a measure to encourage women's participation in various aspects of public life, MWCSW has taken an initiative to publicly recognize and award "the first woman" in different walks of life. Accordingly, the first woman minister, the first woman engineer, the first woman secretary, the first woman pilot, etc., have received special awards.

Challenges ahead

48. Some obstacles need to be overcome to fully integrate women into the political mainstream. In fact, various socio-economic and cultural factors present a major challenge for the enhancement of women's political status. Traditional gender roles and patriarchal values do not encourage women's participation in politics. The problem is aggravated by the low level of education in the country. Further, many educational programmes are yet to be gender sensitized. Gender mainstreaming programmes are also affected by the lack of adequate resources – both financial and human. This is the reason why women have a very limited access to decision-making positions despite their substantial representation in local bodies.

International representation and participation (Article 8)

Basic information

49. Women have the right and the opportunity to represent the Government at the international level. They can also participate in the work of international organizations on an equal footing. Despite this, women's participation is nominal. There are three women in the Foreign Service, including one gazetted and two non-gazetted officials. In addition, there are 10 women employees within the Foreign Ministry, who are not specified in any service category. Nepal has had only one woman-ambassador, who served in India from 1987-1990.

Change initiatives

50. Women leaders and officers have become team leaders as well as members of government delegations representing the country. Women led the delegations to the Beijing Conference and the Special Session to review the Beijing Declaration (June 2000). Similarly, there was a woman member in the team that presented the CEDAW Initial report in June 1999. The Ministry of Foreign Affairs (MOFA) has taken initiatives to include at least one woman in the delegation to attend the General Assembly of the United Nations.

Challenges ahead

51. Most of the women officials at MOFA are attached to the Department of Hospitality. There is still not any special policy or programme to encourage women in the Foreign Service or to facilitate their appointments in international organizations.

Nationality (Article 9)

Basic information

52. Articles 8 and 9 of the Constitution of the Kingdom of Nepal 1990 deal with citizenship rights. Article 9 stipulates that "a person who is born after the commencement of this constitution and whose father is a citizen of Nepal at the birth of the child shall be a citizen of Nepal by descent". According to this provision, a woman does not fall under the descent of the family. In other words, she alone cannot give any identity to her children. Citizenship can be acquired either through father or through husband. A foreign woman, who is married to a Nepali citizen, may acquire Nepal's citizenship. However, a foreign man married to a Nepali woman is not entitled to Nepali citizenship through such marriage.

Change initiatives

53. The role of the Judiciary has been contributory to enhance women's status in terms of citizenship rights. The Court's intervention in the provisions of the *Aliens Rules* (1975) has resulted in changes in *Immigration Rules* (1996) that now guarantee equal visa laws for men and women married to a Nepali citizen.

Challenges ahead

54. As mentioned above, the present constitution requires that the child have a father born in Nepal. On the other hand, a child found within the Kingdom of Nepal shall, until the father of the child is traced, be deemed a citizen of Nepal.

Education (Article 10)

Basic information

55. Nepal has made substantial progress in the field of education during the last 50 years. The literacy rate has increased from around 2 per cent in 1951 to 58 percent in 2000. The number of schools and students at all levels has been steadily rising (Table 5). The five years' primary education is free and tuition fee for lower secondary and secondary education in government schools only has also been made free.

Table 5: Number of Schools and Students (1989/90 – 1999/00)

(Numbers in thousands)

Year	Primary and Lower Secondary Level		Secondary Level		Total	
	Schools	Students	Schools	Students	Schools	Students
1989/90	20	2,900	2	400	22	3,300
1994/95	24	3,550	3	450	27	3,800
1999/00	25	3,780	11	1,290	36	5,070

Source: Ministry of Education and Sports.

56. After the implementation of the Fifth Plan (1975-80), the Government has been focusing on women's education. There has been substantial effort to reduce gender disparity in education through general as well as special focused educational programmes. As a result, the overall literacy rate has gone up for both sexes. However, there still exists a distinct gap between literacy rates of the two sexes (Table 6). The share of girls in total enrolment has also been increasing, albeit slowly. In 1999, it was 43 per cent for primary level, 41 per cent for lower secondary level, and 40 per cent for secondary level.

Table 6: Nepal's improving literacy status (1971-2000)

Year	Overall Literacy	Male Literacy	Female Literacy	Difference	Gender Parity Index
1971	13.89	23.59	3.91	19.68	0.16
1981	23.26	33.96	12.05	21.91	0.35
1991	39.34	54.10	24.73	29.37	0.45
1998	48.00	66.00	30.00	36.00	0.46
2000	58.00	70.00	45.00	25.00	0.64
2001	53.74	65.08	42.49	22.59	0.65

Source: 1. CBS, Population Census 1971, 1981, 1991, 2001.
2. Ministry of Education and Sports (Statistical Division) 2000.

57. The figures in Table 6 show that with increasing literacy rates, the difference between male and female literacy rates has also increased except in 2000. The female primary net enrolment (6-10 years) is 64.4 percent, which is about 80 percent of the male ratio in the relevant age group. All these children do not complete their education. Only about 41 percent of the primary school children complete their education within a period of 5-13 years. At the lower secondary education (11-13 years group), net enrolment ratios drop to 26.2 per cent for girls and 36.5 per cent for boys, indicating that more than two-thirds of children in this age group are deprived of educational opportunities. In the secondary education, access is limited to about 22.2 percent of the relevant age group (14-15 years) children, with 28 boys for every 16 girls. In fact, Nepal belongs to the list of 19 countries of the world in which the difference between boys' and girls' enrolments in primary education is more than 10 percentage points.

58. The transition from one level of education to another has always been a difficult exercise. In other words, moving from primary to secondary level is not a reality for many children. For example, only about 41 percent of the primary school children are expected to complete their primary education within 5 to 13 years. Only 14 per cent of the children in grade one are expected to complete primary school education without repetition.

59. Access to tertiary education (university education) has been very limited for women, although it has been expanding during the recent years. Only a meagre 0.44 per cent of the total women population have a Bachelor's degree as compared to 1.29 per cent for men. Similarly, among all college graduates, only a fifth are women.

60. Inequality is persistent not only in gender terms but also in terms of ethnicity and place of residence. Access to schooling opportunities is unequal between urban and rural areas and also between different ecological zones and development regions. In 1991, literacy rate in the rural areas was 37 per cent while it was 67 per cent in the urban

areas. Similarly, the literacy rate was lower in the mountains (27.7 percent) and the Terai (32.6 percent) compared to the Hills (45.5 percent). On the other hand, the mid-western and far-western development regions have lower literacy rates (around 30 per cent) than the other three development regions, with the western development region at the top. Moreover, literacy is highly unequally distributed among different caste and ethnic groups. The advantaged groups have higher literacy rates than the disadvantaged groups. The limited access is associated with the lack of equity in terms of regional balance. On an average, there are 31 secondary schools for every 100 primary schools in the Kathmandu valley. This ratio stands at 9:100 in the mountains, 10:100 in the hills, and 14:100 in the Terai. In the Mid-western hills it is just 7:100.

Change initiatives

61. In order to address these problems, the Government has been emphasizing on the effective implementation of basic primary education. During the past five years, the Government investment has increased up to around 14 per cent of the national budget. It remained at around 10 percent during 1975-1990. The share of primary education as a percentage of total expenditure allocated to education is 55 per cent (2000/01). Nepal is committed to meeting the objectives of Education for All (EFA) as set out in the Jomtien Declaration 1990 ("World Declaration on Education for All"). The Dakar Framework of Action includes free primary education, 50 per cent improvement in adult literacy by 2015, elimination of gender disparities in primary and secondary education by 2005, and gender equality by 2015. Associated with primary education is also the concept of early childhood development programme. In this context, the Basic and Primary Education Project (BPEP) started in 1992 under the Ministry of Education and Sports (MOES) initiated 800 pre-school nurseries. Revision of textbooks and curricula, teacher training, education for out-of-school children, special needs education and literacy programmes especially for young women were some of the important aspects of BPEP. Studies have shown that children with pre-school experiences are more akin to retain and demonstrate better performance at the primary level. Keeping this in view, the Ninth Plan foresees the operation of 10,000 early childhood development centres with community participation during the Plan period. In consonance with the planned targets, BPEP II is now operating 2300 Early Childhood Development (ECD) Centres in 41 districts. The National Plan of Action has envisaged to operate at least one ECD centre per Ward of each VDC. These centres will take children of the children of age group between 3-5 years. The Government has decided to recruit only female facilitators in these ECD centres. It has been considered that this provision will empower the women groups by sparing more time for labour market and thus make them economically self-sufficient.

62. MOES has made it mandatory that all primary schools have at least one female teacher. However, it has not been achieved in all primary schools, especially in remote areas. It has also been emphasising training to female teachers. There are 28523 women (19.3 per cent) among 143,263 schoolteachers. They account for 23.8 per cent of the teachers at the primary level, 13.4 per cent at the lower secondary level, and 8.4 per cent at the secondary level. They have a much better position in terms of training. Of the total female teachers, 36 per cent are trained; 35 per cent at the primary level, 33 per cent at the lower secondary level, and 52 per cent at the secondary level.

63. There are several targeted programmes such as alternative schooling, out-of-school programmes, incentives programme for girls and disadvantaged children, and adult literacy promotion through formal and non-formal education. The Government has been implementing different types of incentives programmes to encourage girls' participation and retention in school education. The girl students attending proficiency certificate level classes in Education ("I.Ed") receive a government scholarship on quota basis. The Ninth Plan places high priority on increasing participation of women and their access to education. It gives priority to female teachers also in lower secondary and secondary schools. They will also be trained for their jobs. On the other hand, it envisages the continuation of scholarship programmes for girls in a more effective manner. Accordingly, MOES has instituted a number of scholarships for girls. They include Primary School Scholarship, Local School Scholarship (for secondary school girls), Upgrading Scholarship (also for secondary school girls) through girls' hostels, Campus Scholarship (for girls at the higher education level), Leading Programme (for school girls from remote areas), Scholarship for Disadvantaged Groups (for boys and girls from socially disadvantaged groups). Furthermore, schools with high enrolment and low drop out rates for girls will be rewarded with financial assistance. The Government has decided to introduce free and compulsory primary education during the Ninth Plan period. The programme has already started in five districts and will be expanded gradually (NPC 1998:563 ff).

64. MOES is reviewing to reform textbooks by incorporating gender perspectives in them at all levels. The textbooks on social science have been the primary targets. The point of departure is that a textbook should not be a source for instilling patriarchal values in children, and no profession should be stereotyped. Besides, no stereotyped roles for men and women should be promoted — not even indirectly — in textbooks. It must also be mentioned here that the subject of "population studies" has been introduced in secondary schools, which includes family and reproductive health information. Many schools, especially in urban areas, offer sports and physical facilities to students. Girls are entitled to participate.

65. A mid-day meal programme is in implementation in 16 food-deficit districts in order to increase access and retention of the primary school-age children. The objectives of the programme are to enhance students' attendance in schools and raise their learning capacity. A total of 250,000 children in rural areas will benefit from this programme. A study undertaken by Mainstreaming Gender Equity Programme (MGEP) and New ERA finds that this programme has been instrumental in raising the enrolment rates in schools. There are also primary health care services available for these children. MOES has also implemented a special education programme for children with special education needs. This has enabled at least five per cent of them to attend school. Besides, all primary school children receive free textbooks. These initiatives have helped to increase net enrolment ratio of girls in primary schools from 55.6 per cent in 1995 to 64.4 percent in 1999.

66. Nepal has been emphasizing community participation in education, including girls' education. The National Plan of Action on Education foresees institutionalization of this aspect. For example, it asks Village Development Committees to set aside at least 10 per cent of the grants they receive from the Government for women's education. Similarly, it foresees scholarships to 50 per cent of girl students in tertiary education.

67. The literacy drive of the Government also includes non-formal literacy programmes. They can be divided into two groups: those that cater to adults and those that cater to school-age children. While the former focuses on life skills promotion and income generation, the latter concentrates on out-of-school children. The non-formal programmes have a wider perspective of, for instance, rural development, improvement in the situation of child labour, and women's empowerment. Many NGOs are involved in these programmes. For example, the Seti Education for Rural Development project has identified female illiteracy as one of the major problems of rural development. Following this, it started non-formal literacy programmes for out-of-school girls. The *Cheli-Beti* (sisters and daughters) programme is also based on the same concept. The BPEP has been the main provider of non-formal education to school-age children and young women. The non-formal programmes encourage and motivate girls and out-of-school children to bring them into the mainstream of formal schools at an appropriate grade. On the adult literacy front, the Government works together with many NGOs/INGOs and other private agencies. Some 500 NGOs are involved in promoting non-formal education among adults. These institutions lay focus on literacy and promotion of functional skills among women. Moreover, many income generation programmes such as the Small Farmers Development Programme (SFDP) and Production Credit for Rural Women (PCRW) of the government also support literacy promotion through non-formal education.

68. Nepal is also promoting technical education and vocational training (TEVT) for women. The existing TEVT system has a wide institutional coverage and a multiplicity of programme offerings. They include technical education programmes, vocational training programmes, specialized job training courses, and non-formal on-the-job training schemes. The institutional mechanism for the implementation of these activities consists of (a) general secondary schools with a 14 per cent weightage on the vocational subject, (b) the Council for Technical Education and Vocational Training (CTEVT) under MOES of Education and Sports, (c) sectoral ministries providing vocational training in the related fields, (d) civil society organizations with focus on the development of skills in various areas, and (e) universities, which produce, through their technical institutions, skilled technicians at the post-secondary level. In this context, the CTEVT programmes are especially important. The CTEVT has nine schools in nine different sub-regions of the country and 118 affiliated technical schools providing instruction in 16 different skills. The proportion of female enrolment in technical schools has been rising steadily to reach almost one-third of the total intake in 2000. In 1985, it was just 13 per cent. Female enrolment is higher in health and agricultural courses and is very low in mechanical, plumbing, and electricity programmes. The Institute of Engineering (IOE) under the Tribhuvan University and the Ministry of Labour and Transport Management (MOLT) also organize vocational training courses. There are 11 skills promotion centres and two vocational training centres under MOLT with a

combined capacity to take about 1500 participants per year. Similarly, IOE takes about 2000 students per year. These institutions (IOE, CTEVT, MOLT) follow a policy of financial support to women and other disadvantaged groups in the form of a scholarship. Courses for Auxiliary Nurse and Midwife are the examples where women have exclusive access. Women trainees fill up 10 per cent of places under the CTEVT programmes alone.

Challenges ahead

69. Promoting female education has not been a smooth sail. Rampant poverty, inappropriate division of labour between sexes, and gender-biased cultural perceptions are the major hurdles. Although the primary education is "free", households need to take the burden of other direct and indirect costs, including opportunity cost. Many of them are not always in a position to do so. In the context of culturally dictated preference for sons, the daughter's education becomes the first casualty of a resource crunch in the family. However, income is not the only factor behind this. The emphasis on the "purity" of female body leads often to early marriage limiting opportunities for education. In addition, the attitude that women should be confined to accomplishing household jobs does not encourage women's education. Especially in rural communities, educational opportunities are limited for girls. Nepal's education system itself needs a new direction in terms of the use of educated workforce. It is producing, more or less, employees for white-collar jobs and is stereotyped. In many cases, the curricula and course contents contribute to perpetuate the traditional gender roles.

70. The education system also suffers from poor quality. Quality of education can be assessed in terms of three elements: learning achievement, internal efficiency (repetition or dropout rates), and external efficiency (use of education after schooling). In terms of learning achievement, poor quality of secondary education is reflected in the high failure rates in the School Leaving Certificate (SLC) examination. Poor performance in internal efficiency may be observed in the frequent repetition and dropout rates in schools. In terms of external efficiency, school education has failed to prepare students for employment/self-employment in today's globalized market. Low public expenditure on education is another constraint. Even with the increasing size of budget allocated to education, public-sector investments in this field are still smaller even compared to other developing countries. For example, budget allocated to women's/girls' specific education programmes is found to be only 1 per cent of the total education sector budget, which is very low.

Employment (Article 11)

Basic information

71. The labour force participation rate of women in Nepal is 66 per cent. Agriculture absorbs the highest number of economically active population in Nepal. According to the latest census, 24 per cent of the population in urban areas and 81 per cent in rural areas are engaged in agriculture. The proportion of women is larger than that of men. According to Nepal Living Standard Survey (NLSS) conducted in 1996, 79 per cent of employed men and 94 per cent of employed women are in agriculture. The increasing "feminization of agriculture" (ADB 1999: xiv) indicates a disadvantageous trend from women's perspective, as returns on agricultural labour are smaller than non-agricultural labour. In addition, women have more limited access to land as compared to men. The increasing proportion of non-agricultural sector in GDP could have been expected to expand employment opportunities both for men and women. However, it has not happened in women's case. It is interesting to observe that compared to urban Tarai, urban Hills show a much faster expansion of non-agricultural work opportunities for women, according to NLSS. Generally, women's share in the labour market has increased both in self-employment (from 36.8 per cent in 1981 to 54.9 per cent in 1996) and wage-employment (from 14.7 per cent to 32.4 per cent during the same period). However, in the non-agricultural sector, women's share has declined. This indicates an encouraging concentration of women in agriculture (Acharya 2000: 42-47).

72. On an average, women work 7.1 hours a day in the agricultural sector against men working for 7.7 hours a day. Annually, men work for 116 days, while women work for 104 days (Acharya 2000: 54-56). Despite the legal provisions for equal pay, women are paid less than men in the agricultural sector.

73. In the non-agricultural sector, some 7 per cent of workingwomen are employed against 27 per cent of men. Of this, wage employment constitutes a meagre 2.6 per cent for women, while it is 16.4 per cent for men. Women account

for 11.8 per cent of the total labour force employed in the non-agricultural sector. "Professional/technical" workers' group (according to ILO classification) tops the list for women workers where women have also a larger share (24.7 per cent) than men (11.4 per cent). Also in the non-agricultural sector, women have shorter working days (6.6 hours) than men (7.7 hours). However, women work 177 days in a year, while men work only 155 days. Wage discrimination characterizes this sector, too. For each day's work, men get Rs 76.5 as wages against Rs 57.6 for women. When salaries are also taken into account, a day's earning is Rs 92.4 for men and Rs 76.5 for women (Acharya 2000:48-50).

74. As mentioned in the initial Report, the Constitution guarantees equal pay for men and women workers for similar jobs. Working conditions in general are governed by the Labour Act and the Trade Union Act. Both Acts came into force in 1992 replacing their older versions, which put restrictions on freedom of association. The Labour Act incorporates provisions for job security, minimum wages, clean and healthy environment, welfare measures, code of conduct, consultative and cooperative management, and labour courts for dispute settlement. The Trade Union Act guarantees workers' constitutional rights to organize for collective bargaining. While the Trade Union Act has no gender-specific provisions, the Labour Act 1991 and the Labour Regulations (1993) under it have specific provisions for women. According to the provisions of the Act, women are entitled to gender-related privileges such as maternity leave, infant-feeding intervals during work hours, and crèche facilities.

75. Migration for employment is a major source of income for both men and women. Among the migrants in search of short-term employment, women constitute only six per cent (10 per cent among the urban groups and 5.6 per cent among the rural population). The proportion of women in longer-term migration is even less. Various socio-cultural factors put severe limitations on the mobility of women in search of jobs or otherwise. On the other hand, the perceived need for protection restricts their mobility away from the place of residence.

Change initiatives

76. The Government has taken several initiatives to enhance the status of employment for women. The Ninth Plan sets, for example, the triple objectives of gender mainstreaming, eliminating gender inequality, and empowering women. Under mainstreaming, the Plan emphasizes the formulation of policies and programmes at different levels of administration with appropriate monitoring and evaluation mechanisms. Similarly, information systems will be improved so that they can reflect women's contributions to GDP. The elimination of gender inequality should be achieved through reform of discriminatory laws, introduction of affirmative actions in favour of women, and promotion of mass awareness on the theme of gender. The third objective of empowerment foresees provisions for higher representation for women in policy and decision-making, better access to productive resources, and capacity enhancement. The Plan endorses many of the commitments made in the National Plan of Action (to implement the Beijing Platform for Action), including the provisions for reservation of 25 per cent of employment-oriented training seats and 20 per cent of new job opportunities for women.

77. Given the importance of agriculture in terms of creating job opportunities for women, the APP seeks to ensure women's participation in agricultural programmes through staffing and attitudinal changes in the regular facilities rather than separate facilities for women. It stresses that all training programmes on agricultural activities have equal number of men and women participants. Further, APP speaks for the development and dissemination of women-friendly technologies, encouragement to women's groups in natural resource management, agricultural inputs and extension services focused on the special needs of women, and equal access to productive resources. In this context, the Ministry of Agriculture and Cooperatives (MOAC) has prepared guidelines for gender-sensitive planning in local level agricultural activities.

78. Although women shoulder a larger share of workload than men, much of their contribution is made invisible by the national accounting system. The Government is committed to address this problem by introducing changes in this field. This will include women's contribution to the national economy. The first step towards this is the decision to engender the national census of 2001 by including household economic activities carried out by women. Also a gender disaggregated monitoring system will be introduced. The Central Bureau of Statistics is taking the lead in these areas with financial and technical assistance from the UN system. This is being done by adopting the UN System of National Accounting (SNA) 1993 in order to widen the definition of production boundary to include women's contribution to national economy. The Nepal Labour Force Survey (1998/99) already provides gender-

disaggregated data and uses much broader definition of economic activities recognizing many of the contributions made by women to the household economy.

79. For women, employment has also been an opportunity to enhance their socio-political status. They can achieve this through participation in labour union activities. The formal sector is especially important for this. In addition, the Ministry of Labour and Transport Management has been organizing residential and mobile training programmes on women's skill development with a view to promoting employment opportunities, especially in rural areas.

Challenges ahead

80. Some difficulties lie ahead of creating better employment opportunities for women. Despite the significant inter-sectoral restructuring of the labour market during the last decade, agriculture is, as seen above, still the most important sector for women's employment. However, the sector is not developing very well. The recently concluded mid-term review of the Ninth Plan shows that the agriculture sector grew by an average of 2.9 per cent during the first three years against the target of 5 per cent, limiting effective intervention against unemployment. The economy is characterized by high rates of unemployment. Currently, 14 per cent of the population is estimated to be unemployed, and more than 40 per cent underemployed. In the overall economy, therefore, employment elasticity has not been enough to accommodate the growing population. This affects also the intended expansion of employment opportunities for women.

Health (Article 12)

Basic information

81. Majority of Nepali women do not enjoy a sound health status. Nepal is among those very few countries where women's life expectancy at birth is lower than that of men. Factors contributing to the high mortality of women include the risks of childbirth and women's limited access to knowledge, food, and health care. Early marriage and pregnancy, low literacy, and inadequate family planning services also undermine the health status of women. This situation finds a clear expression in various reproductive health indicators (Table 7).

82. Access to family planning services is also limited. There is a large unmet demand for family planning. The total demand for family planning is 67 per cent, of which only 39.3 per cent is met (DOHS 2001). There are two distinct challenges: meeting the needs of those who want to use family planning services and creating demand among those who still do not see the need for it. Major constraints in this area include lack of trained service providers, limited access to family planning devices, and lack of knowledge among potential users of family planning services. As mentioned, maternal mortality is very high. It is linked to a number of social and health-related factors. However, there is an increasing trend in the use of maternal care (Table 7).

Table 7: Trend of Maternity Care Coverage

Reproductive health Indicators	1996/97	1997/98	1998/99	1999/2000
First Antenatal Visits as % of Expected Pregnancies	21%	26%	27%	35%
Average No. of ANC Visits per Pregnant Woman	1.9	1.8	1.9	1.7
Deliveries Conducted by TBAs as % of Expected Pregnancies	3.1%	4.5%	4.5%	5.3%
Deliveries Conducted by Trained Person (including TBAs) As % Expected Pregnancies	6.0%	8.1%	13.4%	13.5%
Contraceptive Prevalence Rate (CPR)	31.0%	31.3%	32.6%	34.5%

Source: Department of Health Services 2000, NDHS 2001.

83. The per capita daily access to nutrition for women falls short of the recommended minimum. The Nepal Family Planning Survey has established that the level of chronic energy deficiency among women is relatively high. Iron deficiency and anaemia are common, especially among women. It has been observed that more than 50 per cent of

women of childbearing age and 63 per cent of pregnant and lactating mothers suffer from nutritional anaemia (DOHS 2000:27). Iodine deficiency and anaemia are the most common problems in Nepal with profound health consequences for women. On the other hand, lack of information on the quality of food in terms of its nutritional value affects women's decision on what to eat within the limited range of choice.

84. The issue of women's health is also related to life styles, family norms, and working environment. Women and girls have to take a heavy burden of family work, including cooking, cleaning, and washing. Both quality and quantity of water are inadequate for maintaining personal hygiene and environmental sanitation. Besides, there are occupational health problems. Women are exposed to health risks, especially in the informal sector requiring manual labour.

85. The increasing cases of sexually transmitted diseases (STDs) and HIV/AIDS also reflect on the poor health status of women. A recent study has found that 4.7 per cent of women had syphilis infection before, and 1.3 per cent suffered from acute syphilis. HIV infection rate was 0.2 per cent. One-third of the diagnosed cases of HIV/AIDS were women of whom 32 per cent were adolescent. Women's limited access to information and formal education coupled with unequal status between men and women in terms of sexual behaviour is the main factor behind this.

Change initiatives

86. The Government has undertaken a number of measures to enhance women's health status. First of all, emphasis is being given to quality and coverage of health services. Health care services in Nepal are based on integrated primary health care and referral curative systems. There are some 4200 public health institutions, including hospitals, primary health care centres, health posts, and sub-health posts. By the end of the Ninth Plan, all 205 parliamentary constituencies will have had at least one primary health care centre with at least three beds reserved for maternity and emergency cases. In addition, some 14000 traditional birth attendants (TBAs) and 47000 Female Community Health Volunteers (FCHVs) are involved in providing health care services for women. They provide maternal and child health services, expanded immunization services along with referral information and other public health services. They also offer home-visit services with a health kit. The major programs for women's health are family planning program, safe motherhood programs, prevention and management of post-abortion complications, prevention of reproductive tract infection and STD/HIV, prevention of sub-fertility and elderly care against reproductive cancers, and nutrition programs. These components are integrated under the umbrella of reproductive health. In addition, essential drugs and community drugs program have been implemented to ensure the supply of essential drugs.

87. With the overall goal to reduce maternal/neonatal mortality/morbidity during pregnancy, and childbirth, a plan of action for safe motherhood programme has been prepared. It has adopted a multi-sectoral approach, which includes both health and non-health activities. With the implementation of the safe-motherhood program, the care for antenatal, delivery and post-natal services has been institutionalized in the hospitals, primary health care centres, health post and sub-health posts through static and outreach clinics. The antenatal care, delivery cares and postpartum care coverage still continues to be low. In order to strengthen district hospitals as first referral centres for emergency obstetrics care (EOC), a Safer Motherhood Project is implemented in three districts, which is going to be expanded into six more districts. The project emphasizes two components: (a) improvement of health facilities to provide comprehensive EOC at the district level and to improve midwifery and EOC skills of peripheral health workers at the community level, and (b) cooperation with local communities to promote awareness of and demand for services and to overcome the barriers to women's timely usage of the EOC service. Various programmes for demand creation and utilization of services have been initiated at the community level. The programme focuses on community-based organizations like mother's groups, FCHV and local bodies. They are mobilized for awareness raising, referral for emergency care and emergency access schemes like emergency transport, emergency funds and improving road, bridge and buildings.

88. There is a long-term commitment to enhancing women's health status in the country. Internationally, Nepal is committed to meeting the requirements under the ICPD (Cairo) and Beijing Conferences. At the national level, three major plans have been adopted. They are National Plan of Action (NPA) for the Implementation of the Beijing Platform of Action, Second Long-Term Health Plan (1997-2017), and the Ninth Plan. The NPA sees women's health in terms of life cycle approach and aims at increased their access to health services from womb to tomb. Further, it is committed to provide basic health package to all citizens irrespective of the ability to pay. The package

includes reproductive health services to women. The new initiative considers the health problem not as an isolated problem but also as a social problem. Accordingly, more emphasis is being given to advocacy efforts and basic social services, e.g. education, and drinking water. The Plan also foresees actions such as amendment to the existing laws related to women's health, expansion of reproductive health services, and gender disaggregated monitoring of progress in health services. The Second Long-Term Health Plan (SLTHP) sees women's health not only as a health concern but also as a social concern. It has a holistic vision and emphasizes an overall enhancement of women's status in the society. Based on the demographic pattern and disease profile, the Plan has introduced an essential Health Care Package with reproductive health as a priority. It has the objective of visible improvement in the status of public health by strengthening health infrastructure in preventive, promotional, curative, rehabilitative, and family planning services.

89. As the majority of women suffer from the risks related to the complication of pregnancy and childbirth, the national health policy has given great priority to the reproductive health program. The National Reproductive Health Strategy has defined a comprehensive reproductive health package for Nepal. The package includes family planning, safe motherhood, prevention of complications of post-abortion care, prevention of STDs, HIV/AIDS, prevention and management of sub-fertility, adolescent health and care to elderly women. In order to expand the availability and accessibility of the health services the policy also focuses on expansion of health infrastructure, human resource development, especially the development of female health workers, involvement of non-governmental organization, social marketing organizations and private practitioners to complement and supplement the government efforts, and emphasis on community participation, especially in empowerment and mobilization of women in the community. Some selected reproductive health targets of the Ninth Plan and SLTHP are presented below (Table 8).

Table 8: Basic Health Indicators of Nepal

Indicators	Status of 1996/97	Target for Ninth Plan (2002)	Target for SLTHP (2017)
Infant mortality rate (per 1,000 live births)	74.7	61.5	34.4
Child mortality rate (per 1,000)	118	102.3	62.5
Total fertility rate (per woman)	4.58	4.2	2.5
Maternal mortality ratio (per 100,000 live births)	539	400	250
Contraceptive prevalence rate (%)	30.1	36.6	65
Delivery service by trained health workers (%)	31.5	50.0	95.0

Sources: Department of Health Services, Annual Report 1998/99.
NESAC, Nepal Human Development Report 1998.

90. Within this policy environment, significant achievements have been made in reproductive health, human resource development, and health education. There was, for example, an encouraging increase in the number of acceptors of family planning devices. A significant increase has been recorded in the use of Depo Provera, with the number of new acceptors of this device increasing from 95,789 in 1995 to 199,232 in 1999. Sharp rises have been recorded also in other devices. Consistent supply of contraceptives through the Annual Commodity Distribution Programme, establishment of sub-health posts, and introduction of primary health care outreach in 74 districts may be attributed to this increase. As a result, the numbers of antenatal and post-natal care first visits have been rising, and so is the number of TBA-assisted home deliveries.

91. One of the major reasons for poor health of women and children is the lack of awareness and information about health care. Therefore, health information and education to people regarding women's health is provided down to the family level in order to influence the utilization of health services through various IEC (information, education, and communication) programs, mass media, FCHVs, and health workers. For this purpose, political workers, teachers, students, social organizations and volunteers are also mobilized at the community level within the framework of the National Health Information, Education and Communication plan. In order to promote breastfeeding, prevention of iodine, iron and vitamin A disorders, health awareness is being promoted among mothers, especially on the need to meet the daily requirements of children through locally available sources and

maintain personal hygiene and clean environment. The IEC campaign on reproductive health and family planning has been mounted in 55 of the 75 districts of the country. The major change being observed in this field is the declining fertility rate (TFR), which has come down from 5.8 in 1991 to around 4.5 in 1999.

92. A major programme thrust has also been on controlling STDs/AIDS. Activities in this field include development and distribution of educational materials, dissemination of information through the mass media, "street drama", and the "AIDS hotline" that has been established for providing information on request. Free distribution of condoms and training of health personnel on AIDS/STDs are other initiatives carried out in this field.

93. The Government has also taken steps to bring legal reforms in the health sector, especially in reproductive health. For example, Breastfeeding Act (1997) and Iodized Salt Act (1998) have been enacted for securing the health of mother and child. The Country Code (Eleventh Amendment) 2002 allows abortion in various grounds. They are (a) married women, with their husbands' consent, may abort up to 12 weeks pregnancy, (b) abortion is permitted, where it has been a result of rape or incest, and (c) abortion is permitted where pregnancies poses a danger to the physical and mental health of mothers. On the other hand, expanded coverage of family planning services and intensification of IEC programmes focused on reproductive health are expected to reduce the risks of unwanted pregnancies. Besides, quality control in the provision of health services is being emphasized. The Government wants to address this issue through developing quality standards. For example, the Ministry of Health has developed *Standard Guidelines and Treatment Protocols*, which will be applicable in all health clinics, hospitals, and nursing homes.

94. Some 200 NGOs are active in providing health services. Reproductive health is one of the key areas of their involvement. A Safe Motherhood Network with 75 institutional members, including NGOs/INGOs and donor agencies, has also been created. This puts special emphasis on reducing maternal and neonatal mortality and morbidity. Family planning, safe motherhood, prevention and treatment of infertility, women's empowerment, health of the elderly are its other components. An important aspect of the programme has been its emphasis on men's involvement in reproductive health activities. A special NGO Mobilization Project is also under implementation, which addresses itself to the needs of reproductive health among some vulnerable groups and underserved people as foreseen in Beijing Platform of Action and ICPD commitments. The NGOs have been providing health-related services both in preventive and curative aspects. In the preventive aspect, they have launched programs like, family planning, reproductive health, 'HIV/AIDS into reproductive health', health awareness and programs, drinking water and sanitation programs, kitchen gardening and nutrition programs etc. In the curative aspect, their contributions are focused on anti-natal and postnatal care, STDs, primary health care, promotional campaign to '*sutkeri samagri'* (delivery kit) Vitamin A Campaigns etc. They are also involved in many activities that help to promote women's health for long term. Women's health awareness program, education and advocacy against unsafe abortion, family health program, STD/HIV/AIDS awareness program, strengthening program for reproductive health, including adolescent girls etc are the examples of such activities. These NGOs are also providing services to community women through various activities. Their concentration is mainly in Family planning as temporary and permanent sterilization activities through static and dynamic clinic, health awareness, home visits and referral services, follow up and monitoring, lobbying and advocacy, training, awareness raising activities like street drama, video shows and publication and production of audio visual and information/ communication materials etc. They also organize activities like regular meetings, workshops, seminars, and coordination with related agencies and organizations. To some extent they are also found promoting community women to form the emergency health care fund. On the other hand, they are working on information dissemination. Regarding IEC materials, most of the NGOs have published books, leaflets, pamphlets, magazines, calendars, flipcharts etc. They have also published posters, training manuals, flip charts, audio/video cassettes, and slides etc., which are useful for training purpose.

Challenges ahead

95. The experience with the provision of health services has demonstrated that service provision alone is not sufficient to improve women's health. There are some problems in improving the health status of women. The poor socio-economic infrastructure of the country affects the health sector too. Public sector spending (including donor expenditure) on health care is Rs 131.14 per person per year, which is far less than the World Bank estimate of US$ 12 (1993 prices) needed to provide a basic package health services in a developing country like Nepal (NESAC

1998:69-71). The allocation of resource to women's health especially in safe motherhood is also very limited. There are also constraints that specifically put limits on enhancing the health status of women. Firstly, the culturally dictated preference for sons accords low priority to women's health in the family. Secondly, women are married at a relatively young age, and there is a tendency to bear children soon after marriage. Thirdly, women tend to remain silent — even within the family — on their health problems, especially in reproductive health. Fourthly, the supply of reproductive health drugs and family planning devices, including contraceptives, is inadequate. Fifthly, men's involvement in family planning remains much to be improved. Despite the substantial increase in the use of modern contraceptives, women-based contraceptives continue to dominate the scene implying that they have the primary responsibility for family planning. Finally, the lack of gender disaggregated data and research on women's health affects the quality of health programmes in the country. Women's lack of knowledge either about the methods themselves or about where to obtain them is also an important barrier. The issue of quality of care has received most attention in the area of family planning. Inadequate communication between the patient and provider, poor interpersonal relationships, and inadequate follow up are aspects of care that are frequently mentioned as deterrents to women's use of services.

96. In addition, the social context of poverty and isolation and low status of the women, community resources for health care and institutional structure at local level economic resource also affect the access to health care. Moreover, the complexity of decision making dynamics and care seeking behaviour, indigenous knowledge systems, ritual pollution, the effect of shyness and the sense of shame on health-seeking behaviour also play an important role in one's decision to access reproductive health services like emergency obstetric care. Mother in laws, husbands, traditional healers, TBAs and drug-sellers are important people in decision-making and potential identifier of obstetric complications. Traditional healers are called to majority of births even in absence of complications is often a factor for delay. In many cases, women just do not seek health care services. A study by the DoHS (Maternal and Morbidity Study, 1998) indicates that the reasons for not seeking care include lack of knowledge (42.2%), problem of access (29%), and the inability to pay (13.4%).

97. In addition, many women suffer from mental health problems. However, this aspect of health is neglected. There is only one mental hospital in Kathmandu. It has very poor facilities and offers only a limited range of services. Women's mental health problems could be attributed to, among others, family violence and some socio-cultural factors. Adequate information on this problem is not available. Besides, problems related violence against women, and morbidity of reproductive organs have yet to be addressed properly. The situation of elderly women is even more serious, needing attention of all healthcare providers.

98. The Government is committed to address these problems. Basic care will be provided to all citizens irrespective of their capacity to pay. Integration of health programmes with the activities of sectoral ministries/departments will also be achieved. Further, training programmes for women health workers both in technical and management aspects will be implemented, and more resources will be mobilized on a partnership basis involving government agencies, donors, local bodies, NGO, and also the private sector. In addition, budgetary allocation will be increased in the health sector.

Economic and social benefits (Article 13)

Basic information

99. As mentioned earlier, property rights are guaranteed by the constitution. Accordingly, women enjoy equal rights to receive family benefits, bank loans, mortgages, and other forms of financial credits. The Contract Act 2000 empowers women, for example, to enter into financial contract in any form and establish private firm or company. They can also buy shares of a company and obtain benefits from them. The constitution also guarantees the rights to culture and religion.

100. Women in Nepal contribute much to GDP. But, they have very little access to or control over the economic resources they generate. They account for 65.7 per cent of the labour force employed in agriculture and contribute some 60 per cent of agricultural production. However, they account for only 6 per cent of the total landowners and have a combined share of 4 per cent of arable land. A vast majority of them are, thus, unpaid family labourers.

101. In the family, a woman member is supposed to be a responsible daughter, an affectionate mother, and a faithful and disciplined wife. Women are regarded as weak and needing protection at every stage of their lives. Traditional culture and social norms highly restrict women's participation in socio-economic development. Women's mobility is constrained most primarily by their security needs. The predominant Indo-Aryan culture in the country idealizes women's seclusion from public life. Men enjoy, thus, a higher mobility than that of women. Also, many religious institutions are more favourable to men. It is expected, for example, that every woman will marry and have children, especially male. These socio-economic biases affect the quality of recreational activities women may be associated with. It is also important that women have very little opportunities to make financial transactions on their own. Lack of capital is a major constraint on women's entrepreneurial activities.

102. Women are denied to play an effective role in family decisions, especially in rural areas. Decisions made in rural households affect activities related to farm management, domestic expenditure, education, gifts, religious matters, social travels, and disposal of household products and capital transactions. According to Strii Shakti, an NGO, out of these, women's contribution to rural household's decision-making process seems to be declining. One of the reasons could be the increasing commercialisation of agriculture, which is changing the pattern of household expenditure and investment. Women know less about new technology and commercial agriculture than men and are therefore getting marginalized in farm management, and of course, in taking decisions pertaining to different household activities.

103. In the context of inheritance rights, the status of a woman is defined in terms of her marital status. A married woman has no claim on her parental property. She gets an equal share in her husband's property, together with her sons. As mentioned earlier, a daughter has to return her share of parental property, if she gets married. Women's access to community resources, such as forests, is also limited, as they are available to house heads, who are usually men.

Change initiatives

104. His Majesty's Government has been implementing a number of measures to bring improvements in the situation. The Sixth Plan (1980-85) spoke for the first time of the need to launch special programmes on women's development. All subsequent Plans have been emphasizing equal participation of women in development activities, especially in the areas of agriculture, forestry, health, education, and employment. The ongoing Ninth Plan is the most progressive in stating "creation of a developed society on the basis of women's empowerment and gender equality through mainstreaming women's participation in each and every aspect of national development is the vision of women's development". The Plan has two basic objectives, firstly to involve women in all development activities, and secondly to increase their access to political, economic, and social resources. Three strategies have been adopted for this: promoting women's participation, eliminating gender inequality, and empowering women. As an important step, a gender-disaggregated indicator has been proposed in order to monitor and evaluate the Plan's activities.

105. The Government has introduced old-age allowance for those who are 75 and above and for widows who are 60 or above. The arrangements of payments have been made through their respective VDCs and Municipalities.

106. The laws do not restrict equal opportunities of participation in sports and cultural activities. There are women as national players even in out-door games such as tennis, basketball, and football. The number of women in the field of music, dance, and films is also increasing. Also rural women participate in music, dance, and cultural activities during local festivals. The Ninth Plan intends to launch a separate Women's Sports Development programme to increase involvement of women in sports.

107. One of the major initiatives is the recent amendment to the Country Code with the objective of enhancing women's property rights, especially with regard to parental property (see paragraphs 16-22). Another important step in this regard is the provision of micro-credit facilities focused on women (see paragraphs 111-134). New employment opportunities are also being created for women (see paragraphs 76-79). These initiatives are contributing much to enhancing the status of women in the family and in the society. On the other hand, the Census of 2001 has included women's household jobs in economic activities for a proper accounting of their contribution to the economy. This is also expected to improve their status further.

Challenges ahead

108. Patriarchal values and traditional understanding of gender roles undermine women's social status. Over the last ten years, women have achieved much in terms of literacy and education. However, they still remain confined to their traditional roles, lower status, and subordinate to men within the socio-cultural, economic, and political frameworks dominated by patriarchal value system. Nepali women work hard, and much harder than their male counterparts. However, their access to household income and property is very limited. Women in Nepal lack economic power, because the land in which a woman is working is not owned by her, and because of the restriction on mobility and seclusion, she is not able to involved in economic activities like selling of the products etc. Besides agriculture, women in rural areas have a hard time in fetching water and fodder for the family and the domestic animals, which is also unrecognized. Similarly, their participation in family decision-making is quite low.

Women in rural areas (Article 14)

Basic information

109. Some 88 per cent of the total population lives in rural areas with limited access to basic social services and other facilities. The country's level of urbanization is low compared to other developing countries. The sex ratio in Nepal is 99.5. It is 98.5 in rural and 108.4 in urban areas. Age-wise, sex ratio for the age group 20-29 is 85 in the rural area whereas it is 105 in urban centres, indicating a strong migratory trend among men in search of employment. Women in rural areas have a higher fertility rate (5.8) than that of women in urban areas (3.5). Similarly, female literacy in urban areas is almost 55 per cent, while it is just 22 per cent in rural areas. However, in major economic activities, the proportion of women is higher in rural areas than in urban areas. While women account for 24 per cent of the total labour force in urban areas, they represent 42 per cent of it in rural areas. In fact, women's involvement in agricultural production is higher than that of men. The ratios for female employment in the agriculture sector are 51.1 per cent in urban and 94.9 percent in rural areas against 20.6 and 77.0 per cent respectively for men (Acharya 2000: 35-45). These figures indicate a high degree of rural-urban divide in terms of the socio-economic status of women.

110. The health status of rural women is poor. The burden of household chores and early marriages often result in high fertility, morbidity and mortality (see also paragraphs 81-85).

Change initiatives

111. The Government has taken a number of initiatives to address this problem. They may be broadly divided into four groups: Providing micro-credit services, creating opportunities in agriculture, enhancing capacity in developing planning, and widening the range of social services. One of the major policy initiatives to enhance women's socio-economic status is the introduction of micro credit for women. Micro credit is being associated with macro gains. Generally, women's access to credit is limited, as both formal and informal credit institutions are geared to funding property owners. All formal credit institutions seek tangible collateral for loans. Mostly, women are not in a position to do so, as they have limited access to inherited property. This is one of the reasons why credit institutions tend to refuse to take unmarried girls in their programmes. The access to credit is further restricted by the fact that they are confined to household activities. They have, therefore, to take recourse to moneylenders in the informal sector who may have exploitative conditions. In this context, the micro-credit programme has become especially useful for poor women, who often do not have collateral necessary to obtain credit from financial institutions. There are three groups of agencies involved in providing micro credit services to women: government, banks and other financial institutions, and civil society organizations.

112. At the government level, the Department of Women Development (DWD) under MWCSW has launched two programmes, namely Production Credit for Rural Women (PCRW) and Micro credit Project for Women (MCPW). Both of these initiatives have adopted a strategy to organize women into groups and support them in raising and mobilizing group funds through institutional credit. They also implement what may be called "credit plus" activities such as training on income generation, entrepreneurship, and social development. Drawing on the experience of PCRW, the Government has implemented another micro-credit project — MCPW — with the assistance from Asian Development Bank. Also the MCPW focuses on poor and underprivileged women. With regard to the

implementation modality, it emphasizes strengthening local level NGOs for social intermediation. Currently, it works with 95 NGOs in 12 districts and five Municipalities enabling them to create awareness, provide training, and extend loans for economic activities.

113. Both PCRW and MCPW activities have now been integrated into what is broadly called Women Development Programme (WDP). WDP covers 540 Village Development Committees in 67 of the 75 districts of the country (WDD 2000). It targets the poorest section of women households with a per capita income of below Rs 4400 (US$ 45). A maximum of Rs. 30 thousand can be disbursed to a woman member for both farm and off-farm activities. In addition, particular care has been taken to bring landless and deprived women and female-headed household within the fold of the Project. No collateral is required for obtaining loans from the Project. Under the Project, a total of 113,606 women are organized into 22,346 groups. Out of them, 66,526 women (58.5 per cent) have benefited from the lending operations carried out by the Project. Livestock farming is the dominant sector for investment followed by services and agriculture. The Programme also emphasizes saving schemes, encouraging two types of saving: group saving and community saving. A total of Rs 43.25 million (81 per cent) has been mobilized under the group saving scheme, and community saving amounts to Rs 10.2 million (as of July 15, 1999). WDP has also implemented a "Revolving Fund" initiative, which addresses women's immediate needs for social and consumption loan. The Fund extends small credits to women's groups for social purposes. It covers 10 districts, and the results are encouraging. A survey of the use of loans from the Fund shows that borrowers have used loans also for financing education and health services. This may, therefore, be seen as an investment in the social sector (WDD 2000:17-34). PCRW has gone a strategic shift since 1999. WDD has facilitated the small women's groups at ward and below ward levels into autonomous community-based organizations. A total of 83 CBOs have already been registered as co-operatives. The process is supported by UNICEF in 38 districts. The community action process (CAP) within these federations has enabled women to assess their own situations and those of their children, analyse problems, and take actions to address their situations. This process has enhanced decision-making and provided a forum for women to advocate for gender equality at the local level.

114. Another major component of WDP is training. There are five areas of training, including group dynamics, with focus on savings and credit management, reproductive health, leadership, skills promotion, and entrepreneurship, and records management. In addition, training programmes are also organized to address the felt needs of target groups. Altogether, the programme has trained 315,621 women in approximately 15 disciplines ranging from credit management and gender sensitization to environment conservation and reproductive health.

115. The Small Farmers Development Programme (SFDP) initiated by the Agricultural Development Bank of Nepal represents the leading institution for women-focused micro credit services in the banking sector. SFDP covers small farmers having less than 0.5 ha. of land and an annual per capita income below Rs 2500 (US$ 34). Also this programme is based on group approach. It organizes small farmers into more or less homogeneous groups consisting of 5-10 members around certain nucleus activities and extends loans to them for income-raising agricultural and agro-based activities. The Programme foresees that at least 25 per cent of the groups are women. Accordingly, low-income women are encouraged to participate in the programme activities. The Agricultural Development Bank has also been promoting the concept of cooperatives for small farmers. Under the Bank, a number of small farmers cooperative limited are in operation. They have also a strong woman component. SFDP and SFCL together have a total of 7,617 women's groups with 58,463 members. The proportion of participating women is increasing (Table 9).

Table 9: Women in Targeted Programmes (SFDP/SFCL)
(1995/96 – 1999/00)

Year	Farmers' Groups	Women's Groups	Share of Women's Groups (%)	Group Members	Women Group Members	Share of Women Members (%)
1995/96	29,090	6,456	22.2	209,654	47,303	22.6
1996/97	28,764	6,647	23.1	206,017	48,708	23.6
1997/98	22,274	7,996	35.9	204,422	50,598	24.8
1998/99	21,999	7,514	34.2	205,932	53,098	25.8
1999/00	17,466	7,617	43.6	192,147	58,463	30.4

Note: All numbers are cumulative.
Source: Small Farmers Development Centre, ADB/N.

116. SFDP is also implementing various social activities. They include adult education, support to farmer-managed irrigation system, childcare centres, hygiene and sanitation, introduction of smokeless stoves, and installation of shallow tube wells. They provide direct benefits to women. As a result, women's participation in these activities is very encouraging. For example, women outnumber men in SFDP-run adult education classes against the general trend of men far outnumbering women in other educational activities. The same situation is reflected in childcare centres where girls outnumber boys. On the other hand, SFDP's Institutional Development Programme (IDP) involves members of women small farmer groups in creating infrastructure for institutional development of community-based self-help organizations.

117. Impact evaluations of SFDP conducted by various organizations including Asian Development Bank have reported several positive changes brought by SFDP with the help of economic, social and community development activities. Encouraging changes were found to show that there have been increases in the use of improved farming methods, cropping area, use of improved seeds, fertilizers and other inputs. Further, positive changes were found in farm and off-farm income and self-employment opportunities. Positive gains were also found in the social development front such as increase in school enrolment, adoption of family planning practices and increase in adult literacy.

118. Apart from ADB/N, 11 rural banks are providing micro-credit services. The *Grameen* Banking System was introduced in Nepal in 1992. At present there are five Regional Grameen Bikash Banks (Regional Rural Development Banks) and six Grameen Bank Replicators (GBRs) mainly in the Terai area for providing banking services to the rural hard-core poor. The basic objective of Grameen Banking System is to provide easy financial services to the poor, especially the women at their doorsteps for undertaking income generating activities and there by reduce the level of poverty. As of mid-October 2000 eleven Grameen Bank Replicators (GBRs) have disbursed over Rs. 4.871 billion to 183,838 borrowers for various income generating activities. Recovery rate exceeds over 95 percent. Five Rural Development Banks, one in each development region, have been established. They provide loans without collateral.

119. With the success of PCRW program and lessons learned from past experiences, women Awareness and Income Generation Program has been started in 1999/2000 in 942 VDC of Nepal. The objective of this program is to augment the participation of women in social, economic and political area and raise their status. Basically this is a women empowerment program. This program plans to cover all the VDCs of 75 districts within five years whereby 380,000 families will be directly benefited. Appropriate action plans along with central and district level committees have been formed for program coordination and implementation. The programme aims mainly at savings and credit mobilization, income generation, and women empowerment.

120. There are also some skills promotion programmes for rural women. Although women of certain ethnic communities have a long tradition of being involved in small business enterprises women's entrepreneurship, in Nepal is a relatively new phenomenon. Generally, Department of Cottage and Small Industries (DCSI) and Cottage and Small Industry Development Board (CSIDB) together provide skill development training for women in sewing and a few other activities in all the 75 districts. Women's Skill Development Centre, established in 1973, also imparts skill development training to physically handicapped, deaf and poor women in Kathmandu, where annually about 400

women receive general and advanced skill training in sewing and cutting activities. Industrial Enterprises Development Institute (IEDI) and Cottage and Small Industries Development Board provide training on Entrepreneurship Development Program (EDP) and organize some programs for women only. Institutions such as women's Development Department (WDD) and Women Entrepreneurs Association of Nepal (WEAN) organize EDP training exclusively for women. IEDI and Federation of Nepal Cottage and Small Industries (FNCSI) also conduct sponsored training for women on entrepreneurship development from time to time.

121. A fairly large number of NGOs provide micro-credit services to women, especially from among the underprivileged groups. Most of them emphasize organizing women's groups and extending loans to them even without having collateral. Such an arrangement has come very handy for many poor women. These schemes are complemented by community-based savings and credit organizations (SCOs), both locally evolved and externally promoted. The number of NGOs providing micro-finance services with an approval from the Nepal Rashtra Bank (Central Bank) has reached more than 115. The Financial Intermediaries Act (1999) has been enacted to regulate the activities of these organizations. The number of SCOs has crossed 10,000, and some 300,000 women are covered by these initiatives.

122. These micro-credit and rural finance schemes are contributing much to enhance the socio-economic status of women. However, they have their own limitations. Firstly, they have a limited coverage. Secondly, as a survey carried out on access to credit indicates, institutional credit is much more limited for enterprises run by female-headed households than that for male-headed enterprises. Thirdly, women in educationally disadvantaged groups are usually unable to take advantage of the new employment and business openings. Further, low-service caste women have very little access to education. In fact, women have less access to education than men within each group. This indicates the need for coupling micro-credit activities with training and education. As discussed above, a number of credit programmes are emphasizing this. In fact, the group credit programmes, particularly PCRW, MCPW, and SFDP/SFCL, deserve appreciation for their social impacts rather than for income generation in itself. The most important factor has been the "bond" the group members have achieved in course of their activities, which has encouraged social mobilization for collective action against injustice to women.

123. Gender mainstreaming in the agricultural sector has also been receiving policy priority. The Agricultural Perspective Plan (APP) gives a clear expression to it. The accelerated agricultural growth under the APP aims to contribute to achieving three objectives: elimination of poverty, protection of natural environment, and improvement in the condition of women. In all of its programme areas, the Plan has clearly spelt out the need to incorporate gender issues and the possible areas of intervention. In line with this, the Ninth Plan puts a significant emphasis on women farmers' development programme. The programme foresees an at least 35 per cent participation of women in all agricultural development activities, including delivery of agricultural inputs, group formation, technical services, and post harvest activities (of crops). Similarly, training programmes will be conducted including at least one-third women participants. Women's participation will be reflected in programme development, its implementation, and follow up. In addition, women-mixed groups and women-special groups will be formed in order to give them more strength in planning and implementation of agricultural activities.

124. In order to achieve the goal of women farmers' development, MOAC has created a separate division – Women Farmers Development Division (WFDD). The Division is focused on policy matters related to the development of women farmers. Major strategies of the Division include gender mainstreaming in agriculture, coordination of gender-related programmes within MOAC, development of agro-entrepreneurship among women, and management of gender disaggregated information on women and agriculture.

125. WFDD has been implementing various training programmes for rural-based women farmers. They cover crop production (cereals and cash crop), integrated plant protection, fruit and vegetables processing and storage, seeds multiplication, sericulture, irrigation planning, post-harvest losses control, and group mobilization. In 1998/99, for example, a total of 3316 farmers participated in these programmes; the share of women was 26 per cent. Although it falls short of the target (35 per cent), it is more encouraging than achievements made in previous years. Similarly, more and more women are participating in farmers' groups organized to facilitate all agricultural activities. A survey by WFDD indicates that in 1998/99, some 6570 farmers' groups were operating in the country. Of them, 1054 groups (16 per cent) consisted of women only whereas 2341 groups (35.7 per cent) included both men and women. The rest were "men only" groups (WFDD 2000:67ff).

126. Given the crucial role of women in the livestock sector, to which their labour contribution accounts for about 70 per cent, the APP emphasizes a high growth of dairy production. The other sector emphasized by APP is high-value crops, which will also be an important source of income for women. In order to bring women into the agricultural mainstream, the APP stresses the need for staffing and attitude that see that women and small farmer have access to the mainstream activities rather than emphasizing separate facilities for them.

127. WFDD is also implementing some pilot projects on the development of women farmers. The following projects are specially important (WFDD 2000:20-26:

a) ***Improving information on women's contribution to agricultural production for gender sensitive planning*** aims to strengthen the institutional capacity of MOAC with a view to promoting, supporting, and monitoring gender sensitive planning at the local level. The project has conducted participatory gender sensitive planning exercises in three districts to prepare and test guidelines on gender sensitive planning.

b) ***Agricultural research and extension project*** works with MOAC to develop location specific agricultural technologies and improve inputs delivery system through women's involvement. Further, it seeks to give women equal opportunity for training and capacity building.

c) ***Telefood project*** focuses on sample projects aimed at providing direct assistance to farmers in rural communities. Women constitute an important target group in this programme. The assistance for this initiative comes through the Telefood Special Fund established by FAO. Currently, small initiatives such as chilly processing, papaya processing, fish drying, and ginger processing are being funded by the project. Similarly, Small Activities Scheme of the Australian aid agency (AUSAid) supports these activities with the objectives of establishing women-managed group enterprises in agro-processing and creating rural employment in high-value products. This project will also focus on post-harvest activities in order to add value to agricultural products.

d) ***Women farmers' Saving and Credit Cooperatives Programme*** has been implemented by the Cooperatives Training Centre under the MOAC as a pilot project in two districts. The major objective of the project is to promote women-managed Cooperatives for savings and credit activities. This has been a sustainable programme for mobilizing resources that help rural women implement income-generating activities.

128. Rural women are being seen as an integral part of development planning. The LSGA (1999) ensures that women are involved in planning and implementing under activities community development projects. The Ninth Plan intends to mainstream women into the planning process through training, education, and promotion of women's groups. During the Plan period, 100 federations of women's groups active in rural communities will be established. In addition, 90 NGOs will be involved in women-focused rural finance schemes. Twenty-five of them will be developed into financial intermediaries. The women groups will also be undertaking initiatives to promote linkages with service delivery agencies both at government and non-government levels. Awareness promotion will be the major activity. The Plan targets approximately 333,000 women organized in 24,000 groups for training in different areas. A total of Rs 1500 million will flow as loan to rural-based women entrepreneurs.

129. The Participatory District Development Programme (PDDP) implemented by the Ministry of Local Development (MLD) with assistance from UNDP, and lately NORAD (Norwegian Development Agency), also focuses on strengthening the capacity of community organizations, including women, organizations. Of the total 3701 community-based organizations promoted under the project, 1411 (35 per cent) consist of women only, and 989 (27 per cent) of these organizations have a mixed membership with 16 per cent women chairpersons (as of December 1999). Under *Village Development Programme (VDP)* of PDDP, a concerted effort is made to establish working relationship between community organizations and line agencies of the government at the local level. The VDP has also provided training to 2453 "village experts" of which 943 (38 per cent) are women. The programme is also promoting the concept of priority productive investment (PPI) and community development services where women have substantial stakes (PDDP 1999/LGP 1998).

130. Initiatives have also been taken to create a poverty alleviation fund (PAF) with its major part flowing into rural areas. The Government initiated actions towards the PAF in order to address the need for an integrated approach in cooperation with various partner organisations working in this field. The proposed fund is expected to cover a

"majority of the poor, and more specifically the ultra poor". It has been envisaged that Rs 28 billion would flow into the fund, which would cover 1500 VDCs within the next five years (2000-2005).

131. Rural women are being targeted also for the delivery of social services, including health (see paragraphs 86-94), education (see paragraphs 61-68), drinking water and sanitation. The Government recognises the importance of drinking water and has set very high targets for the Ninth Plan: drinking water facilities for all people throughout the country. Accordingly, budget allocation for these services is increasing. For example, it has increased from Rs 2656.2 million in 1998/99 to Rs 3310.7 million in 2000/01. Within the Ninth Plan period, sanitary services are expected to cover 40 percent of the population — 36 percent in rural and 60 percent in urban areas. Currently, a little more than 60 percent of the population has access to safe drinking water and there is not much difference between rural and urban areas. It is, however, different for sanitary facilities. Some 50 percent of the households in urban areas have sanitary facilities, and the ratio for rural population is just 16 percent. Safe drinking water is scarce in rural areas, and in many rural communities, fetching water from a distant source occupies a large part of women's time. As a result, households use as little water as possible even at the risk of using too little water for sanitation. Against this background, investment in this sector is expected to enhance the status of rural women in a significant manner.

132. MWCSW has launched a national movement to develop women' capability and leadership. The *Jagriti* (Awareness) programme covers 65,400 women from 940 VDCs for organizing them into small groups and providing micro-credit for various income-generating activities. This programme aims at empowering women through social mobilization, mobilization of savings, and development of income-generating skills. Training is a major component of the programme.

133. Nepal is a multi-ethnic, multicultural society. The Constitution clearly recognizes this. There are 61 indigenous ethnic groups and four castes with more than 125 languages and dialects. The status of women in different ethnic/ linguistic groups is not uniform. Also, regional differences influence women's status. There are, therefore, no "minority groups" as such. Programmes on improving the status of women from the underprivileged section of the population cover also the "minority groups", if any.

134. Also in the health sector, new initiatives are being taken. Safe Motherhood, reproductive health, the services of female community health volunteers are examples (see also paragraphs 87-95).

Challenges ahead

135. The "dualistic" character of the Nepalese economy poses a formidable challenge for integrating the rural economy with the national economy. Lack of adequately developed infrastructure and inaccessibility also hinder the implementation of development activities. Scattered settlements, especially in the hilly areas, further complicate the delivery of public services. Due to limited mobility, economic opportunities are more limited for women than men. Also in terms of social development, rural areas are lagging behind. Literacy is very limited resulting in a low level of social awareness. Continued marginalization of the rural poor has encouraged out-migration, which adversely affects women's lives. Creating economic opportunities in rural areas and empowerment of the poor are thus immediate challenges to address. On the other hand, it is being increasingly recognized that labour is the most important factor of production. Research should thus focus not only on commodities but also on the possibilities of increasing human productivity. Much needs to be done in this regard.

Equality before the law (Article 15)

Basic information

136. The Constitution guarantees all citizens the equality before law and equal protection of law. No one shall be discriminated against on the basis of sex. Also equal remunerations for men and women are guaranteed by the Constitution. In addition, Civil Rights Act 1955, Labour Regulations 1993, and Children's Act 1992 also guarantee the right to equality.

137. Despite these constitutional and legal provisions, Nepali women are suffering from social, economic, and political discrimination. Further, women have an unequal status in terms of wages in the unorganized sector.

Change initiatives

138. The Government has taken initiatives to make necessary improvements in the provisions of law in order to ensure equality between men and women. Amendments in the Act Relating to Land, and enactment of National Human Rights Commission Act, Legal Aid Act, and Compensation against Torture Act are examples. Public interest litigations filed by civil society organizations are also contributing to change discriminatory laws. An Act against domestic violence is also on the anvil. Besides, HMG's plans and policies (e.g., Ninth Plan, NPA for implementing the BPFA) are also geared towards eliminating discriminatory laws. Further, various government agencies, including Ministries Health, Women, Children and Social Welfare, Population and Environment, and also a number of NGOs, have been conducting awareness raising programmes with the message that women should not be discriminated against. The NGOs are also undertaking lobbying and advocacy activities. On the other hand, the Government has formed a high-level committee to undertake a study on the discriminatory provisions against women in various laws and make appropriate recommendations for corrective action.

Challenges ahead

139. Deep-rooted cultural norms and patriarchal values are themselves unfavourable to women. As a result, social preference for sons in schooling, neglect of women's health needs, child marriage and unmatched marriage, bigamy/polygamy are still part of the reality. Dowry and domestic violence are still other problems.

Marriage and family relations (Article 16)

Basic information

140. Although family relations are governed by civil law, women are not treated equally with men on marriage and family relations. Unmarried daughters have a conditional right to parental property. They have to return their share of parental property after marriage. However, the Country Code (Eleventh Amendment) has made important changes in discriminatory provisions with regard to child custody, divorce, and bigamy in order to guarantee equality between men and women.

141. As it has been indicated in the Initial Report, there are still some traditional customs and practices that are detrimental to social development in general and women's development in particular. Child marriage, the institution of dowry, *deuki* (dedicating girls to a god and goddess), *jhuma* (in some communities, second sisters remain unmarried as *jhuma* to spend their life in monasteries), *kumari pratha* (having a girl child as living goddess), and *badi* (ethnic practice of prostitution among young girls) are major practices that have to be done away with. The legal provisions against them have not been very effective, as they are associated with social values, cultural practices, poverty and the lack of awareness.

Change initiatives

142. The Government wants to address these problems through (a) the implementation of poverty reduction measures, (b) public awareness campaigns, and (c) institutional measures for an effective enforcement of the legal provisions that are in place. With regard to poverty alleviation measures, various targeted programmes have been initiated (see paragraphs 111-134). For the promotion of public awareness, advocacy programmes have been launched, and a number of media tools, including posters, documents, street theatres, and radio and TV messages have been used. The programmes on education (see 61-68) are also expected to raise awareness among the general public. It is very encouraging to note that the civil society has been a vibrant and dynamic partner of the Government in working towards raising public awareness. Many NGOs/INGOs are themselves launching targeted programmes on awareness promotion and poverty alleviation initiatives focused on underprivileged women. Contributions of the donor community have also played a very important role in this regard. The Mainstreaming Gender Equity Programme (MGEP) supported by UNDP provides an excellent example. MGEP has, among others, established aid unit to provide legal aid services to poor women, especially victims of violence. With a view to increasing the effectiveness of legal institutions, training programmes have been mounted for civil servants and police personnel. MWCSW has presented to the Parliament separate Bills on domestic violence and family courts. Further, the Ninth Plan has envisaged the mobilization of government organizations and local bodies to control all kinds of crimes and

violence against women through preventive, communicative, and rehabilitative measures so that women's human rights could be honoured. As a result, the institutions of child marriage, *badi*, and *deuki* are coming increasingly under fire. Cases related to these activities are reported to be declining, although no comprehensive research has been carried out to support this observation with empirical data. On the other hand, the institution of dowry continues to enjoy a significant social recognition. Institutional arrangements have been made to provide free legal aid to women. The Central Women Legal Aid Committee (CWLAC) offers an example (see paragraph 17).

143. There are some court cases that have helped to correct the imbalance. They include, for example, recognition of mother as the natural guardian of her child (*Alok Chalise v. Shiru Chalise,NKP 2053, p.247*), establishment of a wife's right to separation (*Lila Bahadur Karki v. Annapurna Karki, NKP 2053 p.259*), and priority to daughters over adopted or stepsons (*Surya Bahdur Thapa v. Dham Kumari Saru Magar, NKP 2053, p.657*). As mentioned earlier, the 11th amendment to the Country Code intends to eliminate the provisions relating to marriage, divorce, and women's property rights.

144. The Government has recently formed a National Commission on Women(NCW) in order to promote and protect women's human rights. NCW intends to secure governmental accountability in case of infringement of any human rights of women.

145. The establishment of National Human Rights Commission (NHRC) is an important achievement in implementing the concept of women's human rights. It receives complaints by any citizen or by a third party acting on behalf of an aggrieved party. NHRC may take up a matter involving human rights violation *suo motu*. NHRC also undertakes activities that are related to promotion and protection of human rights. Currently, it consists of five high-profile members, including one woman. On the operational level, members of law enforcement agencies, especially police personnel, are being trained on various aspects of women's human rights. Its jurisdiction also covers rights guaranteed by CEDAW.

Challenges ahead

146. Rampant poverty and a low level of social awareness constitute the primary problems in this area. Some socio-psychological institutions also play a contributory role in perpetuating the existing situation. Legal and other formally designed instruments need to support by strong commitments in the socio-political sector.

Part III: Measures Taken to Implement the Beijing Declaration and Platform for Action

147. Nepal is fully committed to the Beijing Declaration and Platform for Action (BPFA). The 12 "critical areas of concern" identified by BPFA for achieving gender equality and women's empowerment are very pertinent to Nepal. Despite the commitment expressed by the Government in favour of BPFA, the situation of women has much to improve. The country suffers even today from gender disparity and social, economic, and legal discrimination against women, as also Part II of this report makes clear. The Government is fully aware of this and implementing all measures that are within its means with a view to meeting its BPFA obligations. A National Plan of Action (NPA) has been formulated covering all critical areas of concern.

Women and poverty

148. As mentioned earlier in Part II, poverty alleviation has been the sole objective of the Ninth Plan. Various development programmes are geared towards this. The Plan seeks to reduce the number of people living in absolute poverty from 42 per cent in 1997 to 32 percent by 2002 and to 10 per cent by 2017. Recently (2001), a mid-term evaluation of the Plan has been conducted. The evaluation shows that the number of absolutely poor people has come down to about 38 per cent. During the last years, Nepal has been fairly successful in maintaining macroeconomic stability and strengthening the balance of payments position. Since last two years, the economy is growing at the rate of around six per cent (6.4% in 1999/00 and 5.8% in 2000/01). However, the economy is still vulnerable to various internal and external factors. Economic performance has remained less than satisfactory in a number of key areas, including growth rates, investment levels, fiscal management, and sustainable development.

Poverty alleviation programmes leave, therefore, hardly any room for satisfaction. What is, however, encouraging to note is progress Nepal has been making in terms of human development. The Human Development Index (HDI) for Nepal has improved from 0.415 in 1990 to 0.480 in 2000 bringing the country from 152nd to 129th position. This has had implications also for women's lives.

149. Programmes on reducing women's poverty include establishing gender units in all development ministries, gender-sensitizing all programmes with at least 25 per cent female participation, and employing at least 20 per cent women in all vacant positions. Review of discriminatory laws, implementation of rehabilitation measures for the oppressed communities, and study on women's poverty are other programmes. In addition, the Agricultural Perspective Plan (1997-2017), the LSGA 1999, and various micro-finance schemes are geared towards reducing women's poverty. They are being supported by skills promotion programmes and vocational training schemes (see paragraphs 111-134).

Education and training of women

150. The NPA on education and training foresees five strategic interventions. They include equal opportunity for women, literacy promotion among women, access to vocational education and technical training, counter measures against stereotyping, and allocation of adequate resources.

151. MOES has taken a number of initiatives in line with these strategies. They include provision of scholarship, nutrition improvement in schools, community-based child development centres, free and compulsory primary education, and non-formal literacy. The Government has been emphasizing basic primary education. For the last five years, public sector spending has remained at around 14 per cent of the national budget. The share of primary education as a percentage of total expenditure allocated to education is 55 per cent (2000/01). Nepal is committed to meeting the objectives of Education for All (EFA) as set out in the Jomtien Declaration 1990 ("World Declaration on Education for All"). In other words, the framework of action includes free and compulsory primary education, 50 per cent improvement in adult literacy by 2015, elimination of gender disparities in primary and secondary education by 2005, and gender equality by 2015. Associated with primary education is also the concept of early childhood development programme. In this context, the Basic and Primary Education Project (BPEP) started in 1992 under MOES has been running nearly 800 pre-school nurseries. Revision of textbooks and curricula, teacher training, education for out-of-school children, and literacy programmes are some of the important aspects of BPEP. Besides, a number of NGOs are involved in imparting education to women (see also paragraphs 61-68).

Women and health

152. Also the NPA for health has five strategic objectives, including access to quality health services, implementation of preventive and promotive programmes, multi-purpose programmes for HIV/AIDS and reproductive health services, study on women's health issues, and increased resource allocation.

153. The Ministry of Health(MOH) has taken a number of initiatives to implement these strategies. They consist mainly of reproductive health programmes, safe motherhood programmes, and enactment of some laws. These initiatives are supplemented by a number of NGO initiatives. All these initiatives are being undertaken within the framework of the Second Long-Term Health Plan (1997-2017) and the Ninth Plan (see also paragraphs 86-94).

Violence against women

154. The NPA for addressing the issue of violence against women has three strategic objectives. They include adoption of an integrated approach to control and eliminate violence, promotion of awareness among all sections of the society, and rehabilitation of the victims of violence.

155. One of the major initiatives of the Government has been against trafficking. Legal and institutional measures have been adopted to this end (see paragraphs 30-37). The long-term objectives of the Plan prepared by MWCSW also refer to identification of different forms of violence, including physical, mental, social, political, and domestic. Similarly, the short-term objectives include rehabilitation of victims, awareness promotion, and enactment of deterrent laws.

156. On the other hand, the Ninth Plan emphasizes the prevention of violence against women and requires government agencies, local government institutions, and NGOs to act in unison in order to control violence. The Plan also places emphasis on services for the victims of violence, which include income generation programmes, training and education, medical treatment, and rehabilitation measures.

157. A number of NGOs are currently working for the prevention of violence against women. They are mainly involved in raising awareness and providing rehabilitation support to the victims. Major services include non-formal education, medical care, skill development training, counselling, and telephone help-line. The NGO-based programs show a high degree of success. For example, many rescued girls of the rehabilitation centres are currently working as trainers and motivators. There are some cases of marriages of rescued girls, who are leading a normal family life. In other cases, victims have been reintegrated with their family.

158. Many other human rights organizations and local units of political parties are also working in the area of the prevention of violence against women. They are active in raising awareness, providing legal aid, and imparting skill development training.

Women and armed conflict

159. There are three strategic objectives defined in this area. They include involvement of women in conflict resolution, reduction of resource allocation for arms and weapons, and emphasis on peaceful resolution of conflicts ensuring that human rights are not violated during conflicts.

160. Nepal is facing some problems related to the Maoist insurgency within the country. In the conflict area, there is lack of food, medical supplies, educational opportunities, and, of course, security services. Women have to take a large share of burden arising out of this situation.

161. The Government has intensified efforts to address the critical situation created by the Maoist rebels. These efforts include mobilization of army, introduction of an 'integrated security and development programme' in the Maoist-affected areas, and regular consultation with opposition parties.

Women and the economy

162. The NPA has four strategic objectives, including (a) women's access to productive resources through promotion of employment and creation of a favourable working environment, (b) women's equal access to resources, employment, markets, and business opportunities, (c) training, skills promotion opportunities, business services for resource-poor women, and (d) strengthening commercial networks of women. As indicated earlier in Part II, the Ninth Plan recognizes the problem of marginalization of women in the national economy. Accordingly, gender mainstreaming has become the main approach to reducing gender disparity.

163. The Ninth Plan has been able to bring down the intensity of poverty in the country, providing some relief to women (see paragraphs 142-144). Recognition of women's work in terms of its economic importance is a further step in this regard. The first step towards this is the decision to engender the national census of 2001 by including household economic activities carried out by women. The Central Bureau of Statistics is taking the lead in these areas with financial and technical assistance from the UN system. This is being done by adopting the UN System of National Accounting (SNA) in order to widen the definition of production boundary to include women's contribution to national economy.

164. A number of NGOs are also carrying out social mobilization activities to facilitate gender mainstreaming in the economy. Their services range from providing micro-finance to imparting training and education for income generation.

165. For a more meaningful participation of women, the Government has taken initiatives to enhance female employment (see paragraphs 76-79), upgrade educational opportunities (see paragraphs 61-68), reduce poverty (see paragraphs 111-134), and improve health care services (see paragraphs 86-94). On the other hand, review of discriminatory laws (see paragraphs 16-22) and increase political participation of women (see paragraphs 25, 42-47). They include non-formal education, health education and health-related services, micro-credit services, income-generation schemes, and rehabilitation measures. It is estimated that some 400,000 women benefit from these initiatives.

Women in Power and decision-making

166. The most important step in creating opportunities for political participation of women has been the enactment of Local Self-Governance Act (1999). This Act foresees at least 20 percent representation of women in local bodies. Pursuant to the Act, each ward elects one councillor to make a total of nine councillors from a VDC. At least one woman is nominated in the executive committee of VDC. It means that at least forty thousand women are elected to local bodies. Their representation has been provided in municipalities and district development committees as well.

167. The Local Self-Governance Act has enlarged the functions, roles, and competencies of local bodies, including VDCs, municipalities, and DDCs. With this, the roles and functions of women representatives elected or nominated to these local bodies have also expanded.

168. The Ninth Plan has adopted a policy to increase the access of women to political institutions, including through appropriate legislation. The Plan also recommends affirmative action to enhance women's participation and endorses the National Plan of Action (on gender equality and women empowerment) prepared by MWCSW. The Plan includes strategies to increase the number of women in the constitutional bodies, judicial service, public enterprises, and the civil service. Similarly, civil society organizations are active in this field (see paragraphs 45-47).

Institutional mechanism for the advancement of women

169. A number of institutional arrangements have been made as an effect of the Beijing Conference for the advanced of women. They include:

- Establishment of a separate Ministry of Women and Social Welfare (now renamed Ministry of Women, Children and Social Welfare);
- Establishment of the National Commission on Women;
- Formation of the National Women Coordination Committee under the chairpersonship of the Minister for MWCSW;
- Establishment of an informal caucus of women parliamentarians;
- Creation of Child Welfare Committees in all 75 districts; and
- Separate women cells at the police headquarters and in some districts.

170. For the implementation of BPFA, a National Plan of Action has been formulated. The Plan foresees, among others, (a) strengthening institutional capacity for women development, (b) gender mainstreaming in parliament, public policies, and programmes, and (c) collecting and dissemination gender disaggregated data and information for giving them due articulation in national policies and programmes.

Women and human rights

171. The strategic objectives defined by the NPA foresee (a) protection of women's human rights as defined by CEDAW, (b) establishment of equal legal rights for women, and (c) provision of legal education.

172. The Government wants to secure women's human rights through (a) repealing all discriminatory laws, if any (b) launching public awareness campaigns, and (c) implementing institutional measures for an effective enforcement of the legal provisions that are in place. Efforts are being undertaken at different levels to introduce corrective laws so that women do not have to suffer from legal discrimination (see paragraphs 16-22). For the promotion of public awareness, advocacy programmes have been launched, and a number of media tools, including posters, documents, street theatres, and radio and TV messages have been used. The programmes on education (see paragraphs 61-68) are also expected to raise awareness, especially among women. It is very encouraging to note that the civil society has been a vibrant and dynamic partner of the Government in working towards raising public awareness. Many NGOs/INGOs are themselves launching targeted programmes on awareness promotion and poverty alleviation initiatives focused on underprivileged women. With a view to increasing the effectiveness of law enforcement agencies, training programmes have been mounted for civil servants and police personnel. Further, the Ninth Plan has envisaged the mobilization of government organizations and local bodies to control all kinds of crimes and

violence against women through preventive, communicative, and rehabilitative measures so that women's human rights could be honoured. Similarly, the newly created Human Rights Commission, which includes one female member, and the National Commission on Women, which consists of women members, may be seen as an effective institutional measure to ensure human rights, including those of women (see also paragraph 144).

Women and the media

173. The NPA has two strategic objectives in this area. They include increasing women's access to and participation in the media, and promotion of women's contributory role in the society through the media.

174. MWCSW has been organizing workshops and interaction programmes on gender sensitizing senior media persons. As a result, prototypes reflecting the real contribution of women have been developed for both print and electronic media. Nepal Television has taken some steps for promoting women's participation in its work force. More favourable rules for career development of female employees have been adopted. On the other hand, Radio Nepal, the state-owned radio broadcasting service, includes special programmes focused on women.

175. The NGO sector has also taken encouraging steps in this regard. NGOs are also organizing seminars, workshops, and interaction programmes on gender and the media. Two monthly journals are being published. Other initiatives include special training for women in basic journalism, media monitoring for the coverage of women's issues with provisions for special rewards, media advocacy on women's rights, women's magazine programme over FM radio, and establishment of Women's Community Listening Centres in rural areas. They have contributed to an increased coverage of women's issues by the media.

Women and the Environment

176. The strategic objectives of NPA include involvement of women in every aspect of the decision-making process related to the environment, incorporation of gender perspective in policies and programmes on environment, and development of a mechanism for evaluating the impact of development and environmental policies at national, regional, and international levels.

177. Participation of women in decision-making has yet to be realized. Some progress has been achieved in involving women in environment protection activities through environment-focused NGOs, community-based organizations, and users' groups (e.g., forest users' groups, water users' associations). The Ministry of Population and Environment (MOPE) has instituted special awards for environment conservation. Three women's NGOs have received such awards for their special contribution to the protection of environment. The Environmental Impact Assessment (EIA) guidelines under the Environment Protection Act 1997 also put emphasis on the social impact of development projects with a special concern for women's lives.

The Girl Child

178. The NPA on girl child has eight strategic objectives. The long-term objectives include mainstreaming the development and rights of girl child in national and local development process, integrating all activities related to the development of girl child, developing a gender disaggregated monitoring and information system, ensuring social responsibility for the development of girl child, and creating an empowering framework. Similarly, the short-term objectives include promoting social awareness, coordinating between sectoral programmes, and rehabilitating those who are in need.

179. A number of programmes have been implemented for the development of girl child. Creating better opportunities for education and health has received the primary focus. MOES is working on achieving an appropriate learning environment.

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